1904-05

Legislation

File No - 25 - 1904

Serial No — 1-44

~~Leg~~ ~~Legislation for the removal of the~~
~~of Nature~~ Native
~~disabilities arising from Conversion~~

GENERAL AND REVENUE SECRETARIAT

Legislation

NOTES.

File. No 25/04

FILE HEADING.

Representation for the removal of disabilities of Native Christian Converts in Mysore

From Rev. D. A. Rees Genl Supdt of Wesleyan Missions in Mysore

Dear Sir Krishna Murti Kess. now

Since our conversation this afternoon the name of Mr Puttanna Chetty has occurred to me. I think that if the Committee consist of Justice Staley, Mr Nanjundaiah, Mr V Subramaniyam and Mr Puttanna Chetti with Justice Staley as President and Convener you will have an ideal Committee.

On further consideration I do not think that unless they specially wish it it is unnecessary for them to call for any further evidence or exam witnesses. Will it not suffice if you lay before them the voluminous papers which are accumulated, and ask them after careful consideration and consultation to give their opinion on the points you have suggested

N O T E.

The printed compilation relating to the proposed removal of disabilities arising from conversion to Christianity, contains all the important papers referring to the subject. At page 43 **is** printed a revised draft Regulation and at pages 41 and 42 is a statement of the objects and reasons for the proposed legislation together with a history of the whole question. I think the question should be decided one way or the other. The Missionaries have been long agitating the matter and have carried it even to Parliament where the Secretary of State is reported to have answered a question asked by Sir Henry Fowler in these terms -

I am aware of the case referred to by my right hon ble friend which occurred in 1895, but my attention has not been called to any cases of similar hardship as having arisen since then. The Mysore Government have recognized that some action towards reducing the disabilities of converts from Hinduism is both equitable and necessary but have added that 'the exact point at which legislation ought to stop and to what conditions and limitations the rules of inheritance of the Hindu Law when relaxed should be subjected so as to prevent coparceners remaining in the to examine persons interested and record their statements.

To Councillors. for the favour of their opinions - Any suggestions which they may make will be most welcome.

P.N. Krishnamurti
9 05 Dewan

~~To 1st Councillor 10.1.1905~~

6

In my humble opinion, the idea of appointing a strong Committee for the investigation of this vexed question is an excellent one & may be given effect to. The Committee's deliberations and opinion will I think, enable us to arrive at a decision satisfactory to all concerned. The proposed composition of the Committee leaves nothing to be desired.

A Srinivasaiengar
13-1-05

To 2nd Councillor
17.1.1905

Bangalore,
21st January 1905.

My dear friend,

I send separately a copy of the printed collection of papers regarding the enactment of a law for the removal of disabilities arising from conversion to Christianity in Mysore. As a preliminary, it is considered desirable that the whole question should be well threshed out by a strong Committee and that we should have the benefit of their opinion as to whether any legislation at all is necessary and if so, whether the British Indian Act as it is, or with modifications will do, or whether we can adopt the draft regulation in the printed compilation, with or without modifications. It is intended to appoint you as one of the members of this Committee as you are a prominent member of the Native Christian Community and as your experience and opinion will be of much value. The following are likely to be the other members of the Committee:-

1. Mr. J.A. Staley, Chief Judge, (Chairman).
2. Mr. A. Rangaswami Iyengar, Judge, Chief Court
3. Mr. K.P. Puttanna Chetty, Dy. Commissioner, Kolar District.
4. Rai Bahadur Mr. Annaswamy Moodr of the C & M Station.

I shall be glad if you can consent to serve on this Committee. Kindly let me have an early reply.

Yours sincerely,
Sd/- P.N.Krishna Murti.

Dewan Bahadur N. Subramanyam, Esqr., Bart-at-Law.

My dear Sir,

I am in receipt of our letter dated 21 inst an o a copy of the printed llection of papers. eel an honour be asked to serve e the proposed Committee Shall be very glad to o so

I am,

Yours sincerely

V Subrahmanyam

T

r P. N. Krishnamurti, K.C.I.E

Bangalore
C & M Station
No 3.A Osborne Road
1st February 1905

M Shama Rao Esqr
Offg Dy Secretary to Govt
of Mysore with the Dewan
Sahib.
Adyar
Madras.

Dear Sir

With reference to yours of the 30 Ultimo I beg most respectfully to thank the Govt & the Dewan Sahib and

Bangalore,
17th February 1905.

My dear Sir,

The subject of bringing about a legislation for the removal of disabilities of native Christian converts in Mysore has engaged the attention of Government for the past some years, and it is now deemed necessary that the whole question should be well threshed out by a strong Committee and should have the benefit of their opinion. I am desired by the Dewan to request you to serve as one of the members on the committee as your opinion will be of much value. The Dewan will be very glad if you can kindly consent to serve on this Committee. Kindly let me have an early reply for the Dewan's information.

177

Yours sincerely,
Sd/- M. Shama Rao.

Khan Bahadur Abdul Rahaman Sahib, Esquire.

Bangalore
February 20th, 1905

Dear Sir,

I am in receipt of your D O of the 17th instant, and to state in reply for the information of the Dewan Sahib Bahadur that I have no objection to serve as a member of

Submitted to His Highness

13 My note of 9th January last circulated to Councillors explains the desirability of appointing a Committee to consider whether any legislation at all is needed for removing the disabilities arising from conversion to Christianity. The Rev: Mr. Rees, Chairman of the Wesleyan Mission, has seen me and spoken me on the subject more than once, and the appointment of a Committee is also acceptable to him. The following may form the Committee:-

1. Mr. Staley, Chief Judge, (Chairman).
2. Mr. N. Subramanyam, Madras.
3. Mr. A. Rangaswamy Iyengar, Judge Chief Court.
4. Mr. K.P. Puttanna Chetty, Deputy Commissione
5. Rao Bahadur Mr. Annaswamy Mudaliar) Civil and Milita
6. Khan Bahadur Mr Abdul Rahman) Station.

. Mr. M.S Narain Rao, Deputy Commissioner.

14 Mr. Subramanyam, Mr. Annaswamy Mudaliar and Khan Bahadur Mr. Abdul Rahman have expressed their willingness to serve on the Committee. The Committee has been made a representative one as far as possible. It may be given power to examine persons interested and record their statements.

Record of Case submitted for the orders of His Highness the Maharaja.

DATE 10/22-2-06
NO. 599.

Subject.

Legislation for the removal of the disabilities arising from conversion in Mysore.

Govt Procgs No. J 2570-18 of the 3rd March 05 to the Compr to Govt, Registrar of the Chief Court, Mr A.S. Staley, V. Subrahmanyam Dewan Bahadur, Mr A. Rangaswamy Iyengar, Mr K.P. Puttanna Chetty, Mr B.S. Annaswamy Mudr, Khan Bahadur Abdul Rahaman: & Mr. M.S. Narain Rao.

Appoints the above gentlemen beginning from No. 3 as members of ~~an~~ the ~~[illegible]~~ Committee for the consideration of the above question & hopes that the Committee will finish their labor & furnish their report early.

From the Registrar of the Chief Court No. 5346/306 of the 31st March 1905

No action at present. It may either be filed after perusal, or forwarded to the Chairman of the Committee for consideration.

Sec'y

9.4.08

24

The latter I think for a draft

Varada Iyengar

10.4.1908

25

Draft signed

NC

22/4/08 22/4/08

26 [illegible]

To M.R.Ry. H. R. Srinivasa Rao, Hassan
No. J 3172 d 9/5/05

Acknowledges the receipt of the copy of proceedings referred to in his No. 5 & states that it will receive the consideration of the Govt.

From the Pri. Secy to H.H. the Maharaja
No. 2658 d the 9th May 1905

Forwards for disposal a petition from Mr H. R. Srinivasa Rao, Hassan

33 Dewan's remarks:-
Send this to the Chairman of the Committee on the Regulation for consideration along with other memorials

P.N.K. 9/5/05

34 Draft accordingly sd B.K.N. 15/5/05

This has been already done in Pr 102/11
TKS

From M.R.Ry. Chinna Chetty, Arsikere d the 14th May 1905

Forwards for consideration a copy of the proceedings of a public meeting held at Arsikere on the 11th May 1905 protesting

Forwards for consideration a copy of the procgs referred to in Sl No 13

To Mukky Chinnappilly No. J 3365 of 22/5/05

Acknowledges the receipt of the procgs referred to in Sl No. 13 & states that the matter will receive the consideration of H.H's Govt

From the Private Secretary to H.H. the Maharaja No 2748 of the 16th May 05

Forwards for disposal a petition of the 10th May 1905 from Sahukar Rayappa of Yedchalli, forwarding a copy of the procgs passed at a meeting of the Yedchalli Town Improvement Association held at Yedchalli on the 7th idem protesting against the introduction of Act XXI of 1850

Dewan's remarks.

" To the Chairman of the Committee for disposal Sd PACK 18.5.05"

Secy's remarks

From the private Secretary to His Highness
No 2779 ~~B~~ En 1 dated the 23rd May 1905

Forwards copy of the proceedings
f a meeting held at Arsikere received
rom ~~the~~ Ceriyaniah Chetty Chairman of
the meeting at Arsikere

Dewan's order

42/1x To the President of the Committee

A copy of the proceedings of the Same
neeting received in the Secretariat has
een forwarded to the Chairman of the
Committee ~~[illegible]~~
~~[illegible]~~ anent Legislation for the
removal etc.

Subd Sl no 17

May this ~~[illegible]~~ now be filed ?

31-5-05

31-5-05

43 File

187

31.5.05

To Justice A. E. Staley Esq. Ref. No J 3443
of the 24th May 05

Forward for favor of consideration
copy of the procs received with letter
of the 10th idem from S. Sahukar Nagappa
of Yedehalli

To M. R. Ry Sahukar Nagappa, Chairman
the Yedehalli Town Progressive union
No J 3444 of the 24 May 1905

Acknowledges the receipt of the
cy of the procs of the Yedehalli Assn &

and state that the matter will receive the consideration of H.H's Govt

From Mr. P. Bheemasena Rao, Retired Amildar, Chitaldrug -

Forwards for favor of consideration 2 copies of the resolution passed at a ublic meeting held in the Chamarajadr emorial Hall, Chitaldrug on the 16th. ay 1905 protesting against the introducti Act XXI of 1850.

From the P. Secy to H.H. the Maharaja 1852 d/ the 3rd June 1905

Forwards for favor of disposal etition ~~for~~ addressed to H H by Mr Bheemasena Rao to the above effect

Dewan's remarks 8th June 05
Deal as with other petitions of the similar kind

Secy's remarks "Send to the Presiden 8/6/05

Returned with drafts as in previous cases

S.N.
7/6/05

referred to we should not [illegible] state that the matter will receive the consideration of H. H.'s Govt.

From Jaugh Seshaiengar Kadur d/ the 24th May 1905

Forwards for consideration a copy of the procs of the meeting of the inhabitants of Kadur held in Seshaiengar's Choultry Kadur Taluk on the 18th May 1905 in the matter of the proposed introduction into this State of Act XXI of 1850.

Secretary's remarks — Send to the President

Subd. write a draft as in previous paper

/6/05 21/6/05

a copy of the resolution passed ~~at~~ in a public meeting held under the auspices of the Nagara Sabha in the Pettah Basavesvara Temple at Shimoga on the 18th June 1905, protesting against the introduction of Act XXI of 1850

5 Sent with Drafts as in previous case

SM
6/7/05 6/7/05

protesting against the introduction of Act XXI of 1850

53 Submitted with Drafts as in previous Cases

DD 12/7/05 SN 12/7/05

~~Alc~~ KSMa[illegible] 13/7/05

54 Passed H V Venkatavaraiengar 14-7-1905

To Mr. Justice A. E. Stanley, No. J 156 / Leg 25-33 D 17/7/05

Forwards the above two for consideration

To M.R.Ry. Raghunathachar, Sanskrit Master, Govt High School, Hassan

No. J 157 / Leg 25-33 D 17/7/05

Acknowledges the receipt of his No. 31 states that the matter will receive the consideration of Govt.

From the Ch. Secy to H.H. the Maharaja No. 286 of the 13th July 05

Forwards for favor of disposal, a petition ~~of the 18~~ from Holegappana Siddappa & other inhabitants of Davangere protesting against the introduction into the State of Act XXI of 1850. 55

2. Mr. Justice A.E. Stokes - No. 3402/Leg 18-35 dd 7/8/05

Forwards the above for favour consideration

From the Dt Secy to H.H. the Maharaja 3368 dd the 20th Augt 05

Forwards for disposal a petition addressed to H.H. the Maharaja by the members of the Hindu community Other protesting against the introduction Act XXI of 1850 into this State ✓

4 Dewan's remarks Send to the Chairman of the Committee Sd V.P.M.K

VIII. 05

60 Secretary's remarks" Draft accordingly

to subt

SN 18/8/05

108

ct — in — question.

Dewan's remarks "Send to Chairman." Sd P.R.K 9.9.05

64 Secretary's remarks — "Draft accordingly" Sd 12.9.05

65 Draft subd.

66 14.9.05

R.W 14.9.05 To the Chairman of the Committee, No 9854, 14-9.05 d/16-9-05, forwarding Sl. no. 38 for consideration.

From the Chairman of the Committee of legislation for the removal of disabilities of native Christian Converts No 2075/90, d/30-9-05.

- Forwards the final proceedings of the Committee embodying the ~~the~~ draft Regulation

~~Subd for orders~~

of a few distinguished Hindu lawyers such as are available at Madras & say, of the stamp of Sri V. Bhashyam Iyengar before so important a piece of legislation is passed into law.

~~Dec~~ 4 K S Chandrasekhara
4.10.05

69

I do not know if your opinion is not valuable. May not it be secured? If the Govt. ~~may~~ does not feel convinced of its reasonableness they may ~~?~~ call for expert opinion if necessary.

V K Venkatachala Iyengar
4.10.1905

70

I shall certainly submit my opinion if desired but this will take some time, the papers being somewhat voluminous, & the question being complicated & important. Printing is also very desirable. And hence I thought that, to avoid delay, the papers may go up in the first instance, especially as the subject of Converts' Disabilities is one of those to be raised discussed at the Repr. Assembly opinions are recorded or further action taken ?

6.10.1905

Srinivasaiyengar
6/10/05

7087
6.10.05

72 At this day's meeting of the Representative Assembly, the Dewan directed the immediate publication of the draft Regn in a Gazette Extraordinary, & the distribution of copies to the Representatives.

73 A draft Notifn and a DO to Mr Yates are put up.

74 A Statt of objects & Reasons is desirable; but as its preparation may take a day, it is dispensed with. The Dewan also observed that ~~it~~ need not be attached.

~~Secy~~

12-10-05

75. Papers

12-10-1905

From the Senior Surgeon & Sanitary Commissioner Mysore Govt

Letter no G. 350 d/ 26.10.04

States that he approves of the Govt order no G. 25-04-41 draft Regulation

From The Private Secretary to His Highness the Maharaja no 734 d/ 3.11.05.

Forwards a petition d/ 31.10.05 from the chairman, Sree Sanathana Arya Dharma Tatwa prakasaka Mandal Sreekshetra Pandarpur

10

~~Submitted the above~~

~~as~~ to Dewans orders on the latter

7.11.05 Put up with the rest of the file & the Committees report has not been received send this also to chairman

Initd P N K
3-11-05

77

The Committees report has been received

N
11-05

Orders of the Dewan are necessary to the suggestions made in my note of 4-10-05, & in that of the 1st Councillor & the 6th item.

Submitted to the Dewan Sahib

3-11-05

19 I have no objn. Place
before an early meeting of
the Council. Medl. Secy
will doubtless be prepared
with his views also. Let the
papers be printed without
delay — P.N.K. [illegible]
Chairman
1.05

Dy. Secy
13/1/05

Sub 68.

ಶ್ರೀ Srimukam from Sri Sachidananda Sivabhinav Nrusimha Bhârati Swam of Sringeri Mutt, protesting against the introduction the Regulation for the removal of the disabilities of Native Xian Converts

Dewan's Order thereon :—

Please have the enclosed translated carefully & filed with the other papers. How does the matter stand

(Sd.) P.N.K
07-1

Secretary's remarks on the Under Secretary's note soliciting orders as to the disposal of the memorials presented before the Representative Assembly (1) on the new Civil Service Scheme and (2) on the Draft Regulation for the removal of certain disabilities of Native Christian Converts in Mysore

Please detach the memorials separately with a fresh sheet to each giving résumé of its contents

V.P.S.C. 24/11/06

8. The important papers have now been printed and are submitted herewith with 3 other drafts & a memorial submitted on this subject by the members of the last Dasara Assembly. A collection of the opinions of the several Newspapers is also put up. ~~The argumen~~ A brief summary of the arguments advanced for and against the draft Regulation and the summary of discussion in the Representative Assembly 1906 are printed as

25/11/07

the foundations of the Hindu Religion" or "of the Hindu Law of Inheritance I have too great a reverence for the Hindu Religion to think that is based on Rupees Annas and Pice, & I feel satisfied that the methods of inheritance among Hindus will not be affected by the proposed measure in essential particulars - The proposed measure is necessary alike on considerations of justice & on considerations of expediency in view of the growing disposition ~~of~~ in the Educated Classes to cross the Seas to England America & Japan in quest of further Education & higher qualifications for ameliorating the

I have no objection to its being placed on the shelf for the present

K V Nettannaghett
2d Councillor

6/4/10

14/4/17

Lu
9th

wi 8t Cr)

B [illegible]
11/4/10

The Mysore Standard.

Letters to the Editor.

25.10.05

The Mysore Christian Converts Bill.

Sir,—We have before us copy of a draft of regulation meant to remove certain disabilities arising from change of religion. We were congratulating ourselves that Dassara this year was a unique spectacle, not being marred by any ravages of plague and loss of any member through that scourge. But in the absence of plague, we find another shock, which has quite aroused national feeling in Mysore, not only in Mysore but throughout the length and breadth of India, and India stands to-day staggered at the attempt made in a Hindu State to popularise conversion, probably acting on the suggestion of a conservative Dewan, who is a purely staunch Brahmin.

The talented predecessor of the present Dewan would not like to have his name associated with any such regulation and when pressure was brought to bear upon that distinguished statesman, he evaded the pressure by a nobility, which alone will be sufficient, we believe to make his memory green and embellish his marble statute for years to come. Our Maharani Regent—revered she be—did not like to dip her hands in such an measure and said that as a female sovereign governing as Regent during a minority she may be llowed not to disturb the existing state of affairs.

The Regent backed by an experienced and resourceful Dewan convinced the Paramount power the cogency of her position and the suggestion was dropped, probably to renew it, when they see that the sovereign, the successor of that cantious Mahara is still young and obliging and that sovereign is being guided by a weak minded but rigorous Dewan.

The Dassara festivities this year will ever remind us of a sad event in the administration as being the occasion during which emanated such an unpleasant regulation, which if passed and carried and gets the force of law, will surely unruffle society and tend to popularise conversion and give an opportunity, which we arequite sure, will be seized and certainly improved upon, by the missionaries of proselytising faiths who evidently desire to render conversion more easy and less irksome.

Hindu.

Bangalore, 20-10-05.

The Mysore Herald.

THURSDAY, NOVEMBER, 2, 1905.

THE DISABILITIES OF CONVERTS.

The Governmenment of His Highness the Maharajah of Mysore published a Draft Regulation in the *Mysore Gazette Extraordinary* on the 13th Oct, 1905, which we published in a previous issue. It is said that the object of this Regulation is to remove certain disabilities arising from a change of religion or deprivation of caste. It is said that this draft Regulation has been submitted to the Government by the Committee appointed to consider the subject in Government order No. 2510–18 dated 3rd March 1905 The members of this Committee are Mr. Staley, the Chief Judge, a Christian Mr. A Rangaswamy Iyengar a Brahmin, a Judge of the Chief Court, Mr. M. S Narayana Rao, a Brahmin; Mr Puttanna Chetty, a Lingayat; Mr. Subramanyam a Christian; and Mr. Abdul Rahiman, a Mohamedan. Is this Committee one which fully represents the different religions in Mysore We think not. The Christian population in Mysore is 32,933. The Mahomedan population is 268,131. The Hindu population is 5,048,449. The total population of Mysore is 5 449,800. We see 3 members to represent more than 5 millions of Hindus one member to represent more than a quarter of a million of Mahomedans and two members to represent nearly 1/30 of a million of Christians. The representation is *ab initio* unequal. It is said that the draft regulation is published for general information and the persons interested in the subject are invited to send their opinions to the Government within two months of its publication in the Gazette. We are glad that the Government has called for the opinions of persons interested in the subject and we venture to assert that with the exception of a few persons out of the 32,933 Christians all people in the Province are interested in the subject inasmuch as it affects the religious interests of the whole of the Hindu and Mahomedan communities. The missionaries and their friends whose power is irresistible have for many years past been trying to get the Act XXI of 1850 introduced into Mysore The Government of Mysore, however, did its best to put off the evil day as much as possible. A voluminous literature has grown up over this question. It is gratifying to note that the Government of India has religiously maintained a spirit of commendable neutrality in the matter. We are sorry, we cannot say the same thing of some of the British Residents in Mysore. The of Her Majesty, the Queen Victoria, a proclamation which has been approved of both by the British Parliament and the British Public of the time. We hope that our present British Resident who has had no hand in the matter will consider the question carefully and represent the wishes of the people to the Government of India and obtain an order from it calling upon the Mysore Govt. to withdraw the unpopular Draft Regulation and thereby impress upon the people of the Province and the people of India in general that the Government of India will ever maintain an unshakable religious nuetrality in the matter, the tactics of the Missionaries notwithstanding.

THE DRAFT REGULATION ABOUT THE REMOVAL OF THE DISABILITIES OF CHRISTIAN CONVERTS.

20. 11. 05

THE citizens of Mysore held a meeting in the Rungacharlu Memorial Hall to consider the effect of the Draft Regulation on the Hindus and Mahomedans on Wednesday last. There was a very large and representative gathering. All classes of Hindus weve represented. The leaders of the Mahomedan community sent word to say that that night they could not attend the meeting and that it might be adjourned to some morning. Mr. Anniah Pundit was voted to the chair. Mr. Pundit told the audience the object of the meeting. He told them that the Regulation was one, that for any thing he knew affected the very foundations of Hindu society. He was of opinion that the regulation was one whose object was to interfere with Hindu Religion. He was sure that inheritance among the Hindus was based upon the performance of shraddhas. They were by physical causes such as blindness &c., also disinherited. Even sanyasa disqualified a person from inheritance. Those who renounced Hindu Religion were sastraically dead. They have been held rom time immemorial to be disqualified to nherit their ancestral property. This is the aw that obtains now. Religious Neutralty is he watch word of the British Government. he proclamation of our renowned Empress Queen Victoria is our charter of the British eutrality as regards the Religions of India. This Regulation is opposed to Hindu Law. It is pposed to the time-honoured Hindu Religion. t is opposed to the sastraic law of inheritance. The British Government would never permit his Regulation. It is an outrage to the solemn eclaration of our late beloved Queen Empress. et us have faith in the justice of our cause. et us pray to our enlightened Govt. to withdraw is Draft Regulation not only out of regard for hoary traditions but also out of reverence for e solemn proclamation of our gracious Queen am confident that prayers will not go un-

Mr. K. Chendrasekhariah then addressed the audiance from a legal and practical point of view for over an hour and a half. The audience were simply spell bound during this period. A sense of sorrow and disappointment pervaded the audience; now and then when he touched upon the dire disturbing effect it would have upon the time honoured social fabric of the Hindu society. When he described the fervent expressions of sorrow which Her Highness the Maharani the late Regent appealed to the Government of India and obtained an order against the introduction of Act XXI of 1850 though temporarily, the audience shed tears. For want of space we hold this speech in reserve for the next issue. The meeting was adjourned to the morning of Sunday the 19th.

Native Converts In Mysore

AND THEIR DISABILITIES.

The following report of a "monster meeting" held at Mysore will repay perusal as indicating educated feeling against the contemplated Regulation in regard to the disabilities of native converts in Mysore. Objections to the Regulation were invited by the State and they are about to receive them, for this report compares some of the oratory displayed at the meeting in question to the "Falls of Naiagara" (*sic*). The comparison is not in the same street at all with the exclamation of an East-End "Palace of Varieties" tragedian who lost his lines and electrified his first-night audience by whispering, "Hark! I 'ear the Niaggery falls!" I quote the *Mysore Herald* in full:—

At 8 a.m. on Sunday there was a monster meeting in the Ranga Charlu Memorial Hall. The pick of the representatives of the Hindu and Mahomedan communities were present on the occasion. Moulvies, Pundits, Advocates, Zamindars, Bankers, Merchants, &c., filled the Town Hall and even the stage. Two Chairmen were elected, Mr. Anniah Pundit on behalf of the Hindus and Mr. Durvesh Peer on behalf of Mahomedans. A large number of Moulvis, Pundits, Advocates, Merchants and others delivered speeches which went into the very heart of the audience. The speeches showed that there was no need for such a Regulation as the one under notice, that inheritance according to Hindu religion was a matter of contract, that only those were entitled to inheritance who were qualified to perform Shradhas and offer Pindodakas among the Hindus, that those who become converts to Christianity could not perform these ceremonies and could not therefore inherit property, that the draft Regulation, if passed, would tend to undermine the very foundations of the social and religious institutions of the Hindus, that it would upset the religious neutrality of the British Government and that it would give a lie to the Proclamation of Her Majesty the late Queen Victoria of the blessed memory. Some of the speeches were with all their sobriety, so soul-stirring, so eloquent and yet so constitutional that they moved the audience to tears. Moulvi Darvesh Peer, Moulvi Sikandar, Mr. A. Ramanna Mr. A. Anniah Pundit, Mr. Govinda Charlu, Mr. Chendersekariah and some pundits simply electrified the assembly no less by their impassioned speeches than by their eloquence. Mr. Ramanna's performance was unique in its eloquence and flowed like the Falls of Naiagara. The silver ring of his voice, the lucidity of his expressions and his uncommon fervour and zeal held the audience simply spell-bound and all classes of Hindus and Mahomedans unanimously resolved that His Highness the Maharajah should be prayed to withdraw the Regulation inasmuch as it (1) would root out the time-honoured religion (2) would give a lie to the solemn Proclamation of Her Gracious Majesty, Queen Victoria. It was further resolved that a committee of ten members consisting of representatives of the Hindu and Mahomedan communities do draft the proceedings of this meeting in the light of the discussions that took place and submit it to His Highness the Maharajah with a prayer that the draft Regulation be withdrawn. It was also resolved that copies of these proceedings be printed and be sent to the British Resident, the Government of India, the British Parliament and His Gracious Majesty the Emperor of India with a prayer that he be graciously pleased to see that the proclamation issued by His beloved mother be honoured in the observance rather than in the breach.

The meeting terminated with a vote of thanks to the Chairman which was carried with vociferous cheers and ac

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THE REMOVAL OF THE DISABILITIES OF THE CHRISTIAN CONVERTS.

23 . 11

THE DRAFT REGULATION.

On Sunday last we published a short account of the meetings that were held to consider the effect of this Regulation on Hindu and Mahomedan Societies and to formulate [illegible] in the matter. We shall publish the Proceedings of this meeting in detail in a future issue. The Resolutions unanimously passed by this meeting are as follow:—

(1) That this meeting is unanimously of opinion that this Draft Regulation [illegible] at the very foundations of our religions and customs and that the enlightened Government of His Highness the Maharajah be prayed never to bring into force either Act XXI of 1850 or any other act of a similar nature, or the Draft Regulation published in the *Gazette Extraordinary* of 13th Oct. 1905.

(2) That a copy of the above Resolution be submitted to the Government of His Highness the Maharajah; to the Hon. Mr. S. M. Fraser, the British Resident; to His Excellency Lord Minto, the Viceroy and Governor-General of India; to such members of the British Parliament as take interest in the Indian affairs; and to His Majesty the King Edward the VII, our beloved Emperor of India.

(3.) That a Committee be appointed to draft the Proceedings of this meeting in the light of the discussions that took place to-day. Mr. Moulvi Durvesh Peer, Mr. Moulvi Sikandaruddin Mr. Puttayaji Urs, Panditaratnam Kasturi Rangachar, Mr. M C. Ranga Iyenga- Mr. K. Chendrasekariah, Mr. A. Ramanna Pandit Rama [illegible], Mr. Anniah Pundit, and M M. Venkatakrishnayya, be appointed membe of this Committee and Mr. K. Chendrasekaria be the Secretary of this Committee and th [illegible] be authorised to submit these Resolutions to these personages as resolved upon.

The Mysore Herald. Nov 27-08

THE REMOVAL OF THE DISABILITIES OF THE CHRISTIAN CONVERTS.

(A REPORT.)

FROM the 15th instant, there have been meetings held all over the town to consider the effects of this Draft Regulation: large meetings in the Rangacharlu Memorial Hall and small caste meetings all over the town. Great excitement prevails. A kind of general discontent has become the order of the day Wonder is expressed openly that a Native Government should have played into the hands of the missionaries and allowed the framing of a Draft Regulation outrageous to the time-honoured religion, customs and traditions of the people. The organisers of the meeting took special care to see that only elderly gentlemen, who have a reputation to lose should attend the two Public Meetings held in the Rangacharlu Memorial Hall on the 15th and the 19th instant. With all these precautions Mr. K. Chendrasekhariah, who was helping the Hindu and Mahomedan Chairmen of the 2nd meeting in recording its proceedings, could not help assuming the tone of a Shah of Persia in putting down unconstitutional speeches.

The following were the genetlemen who spoke at the meeting :—

Mr. Anniah Pundit
Moulvi Durvesh Pee
Ramanna
oulvi Secander Uddin
heik Ibrahim
Moulvi Peish Iman Abulzaffier Mir
Mohamed Hussain Al
andit Narahari Jois
Moulvi Syed Moinudin
Pundit Lakshminarasimha Sastry
Appavu Chetty (the famous Telugu poet)
Varadachar
Abba Abdul Shuker Sait
Puttaiyyaji Urs
K. Chendrasekhariah
Sreecuntiah
Madappa (Jahaghirdar)
Chowdiah
Subramanya Lala, Sowcar
Ghanapathi Singlachar
Lakshmana Chetty
Govinda Char

One citizen observed that it was an outrage on the religion and caste systems of the Province to have entrusted their religious desties to a committee consisting of gentlemen who ere incapable of entering into the feelings of he Maharshis who gave Law to India. Another itizen observed that the gravity of the Draft Regulation can never be understood either by the framers of it or by those who have blindly surrendered their discretion, unless their sons, wives, or brothers are inveigled into the Christian fold, and the disturbance that it creates in their familes is practically felt and realised by them. A third citizen said that the Christian population in Mysore is a little over 32 thousand ; whereas the non-Christian population is 55 lakhs and that out of 32 thousand and odd Christians, the Roman Catholics do not care two straws for this Legislation, and that, of the remainder, he Native Converts to Protestantism, none except a few missionaries are for it and he added that the desire of these missioneries and the indirect help they got from the Residency did not constitute a need for the Legislation and that the Legislation is therefore both unnecessary and uncalled for. The fourth citizen said that the European Nations who first invaded India were animated by a kind of dogmatic Christian fervour, that their behavionr was characterised by un-Christian fanatacism,, that they paid dearly for it, that the British East India Company walked in their footsteps, that Act XXI of 1850 was passed at the suggestion of fanatical Missionaries, that it led to great discontent which ended in the Indian Mutiny, that as a consequence the East India Company lost its ruling power and the benign British Government took charge of the country, appointed a Viceroy to protect the material and moral destinies of India, and that Her Majesty the Queen Victoria had to issue a Proclamation solemnly declaring that the followers of any religion in India would never be interfered with, in observing their religion & following their time-honoured customs & traditions. He waxed warm and said that that Proclamation is a crown of glory to the British Nation and the *Magna Charta* of the religious rights and privileges of the Indian people and he went to the extent of saying that those who try to give a lie to this solemn declaration of Her gracious Majesty Queen Victoria, are not true either to the British Throne or to themselves or to the country whose salt they eat. The fifth peaker said that during the Hindu Period, the Hindu Law was administered by the Hindus, that during the Mahomedan Period the same was done by the help of the Hindu Pundits, and that during the British Period also the same judicial traditions have been followed to a great extent, so much so that the policy of the British Government has never been to repeal the laws of India. He observed that the laws of India are different from the laws of England, that the Indian laws partook of a religious character, whereas the English laws were base upon the principles of utility. He said that the Indian laws were framed by disinterested & inspired hermits known as Maharshis, whereas the English laws in force in India were those made either by the Parliament in England or the Legislative Councils in India He added that the Native Govts. are simply to administer the Hindu law as it is, & that they have no power to set them aside and that therefore the present legislation is opposed to the religion, customs and traditions of the people and that therefore they must most emphatically protest against the Regulation. The 6th citizen said:—We are governed by the Hindu law. The Hindu law is based upon the Institutes of Manu, Parashara, Bodhayana, Apastambha and other holy men, men who are incarnations of God Himself. We believe that they are inspired writers. We know their words are as good as the words of God. We follow them. We act upon them. Our Government is expected to protect our religion and our law. We therefore protest against this Draft Regulation. The seventh speaker said:—We do not approve of this Draft Regulation. Our Law is found in the Khoran. It is found in Praha ya Sitta, Alamgiri, Hidaya, Raddul Mohtar and other works. We have no respect for those who renounce their religio and accept another without understanding the comparative merits of both. We regard a man who so renounces his religion as a kaffer. The atonement suggested for such a pervert i lynch law. Any body is permitted to take sword and behead such pervert. Though w do not go to the extent of carrying out th religious order now, we have no sympathy wi the Legislation under reference. A man who renounces one religion to follow another does so with his eyes wide open. He knows all its advantages and disadvantages. He knows the [illegible] which beset him. The Government would simply betray its trust by giving up the cause of the majority to serve the cause of a microscopic minority, merely because that minority is represented by a few persons who have great influence at the Residency. The eighth speaker said, legislation of this kind should be drafted and the opinions of the people upon whom it is to be imposed, should be collected and if the majority of the people approve of it, it should be enacted into law. The Government of His Highness the Maharaja has done nothing more. There is a Draft Regulation. The people interested in it are called upon to favour the Government with their opinion. If the opinion of the majority of the people is against it, it will be withdrawn. The next speaker said, this Draft Regulation is based upon Act XXI of 1850. It [illegible] the out caste, rights of inheritance [illegible] rights. The phrase 'personal [illegible]' is [illegible] plained clearly. The [illegible] as well as [illegible] illustrations make confusion worse confounded. Giving rights of inheritance to converts [illegible] enough. If personal rights mean the rights [illegible] wife & of minor children, & if these are [illegible] there can be nothing worse than that. I protest against it. The tenth speaker said that the legislation aims at giving rights of inheritance to a convert in the ancestral property as well as in the property of the descendants and collaterals. If this Regulation is passed it will [illegible] innumerable [illegible] disturbance into our families, and will operate as a powerful engine of family dissension. It is a very unwarrantable, [illegible] and impolitic piece of legislation. I strongly protest against it.

The 11th citizen said:—Act XXI of 1850 was practically repealed by the Queen's Proclamation of 1858. This act should have in strictness been removed from the Statute Book. It was not done so at the time [illegible] or other causes. Our brethren in British India must [illegible] the Government of India to repeal it. The attempt made for the removal of the disabilities of Native Christians outside Mysore has invariably failed. Even in Travancore and Cochin where there are more Christians than anywhere else, such attempts deservedly collapsed. The Mysore Missionaries have, for a long time been agitating the question undaunted by repeated failures. Their perseverance would have been highly commendable had it been unselfish and disinterested. These Missionaries want to see that this regulation is forced upon the people of Mysore, so that their brethren in other Native States may take it up, point to Mysore, as the most enlightened pro Christian Native State in India and goad them to follow in the foot-steps of Mysore by every means in their power, means supplemented by the powerful diplomatic engines of the Residencies and Political Agencies. Missionary endeavours operate as a menace to our religion, traditions and customs. I protest against this Regulation with all the vehemence that I can command.

The 12th cititizen said:—The principles of the Hindu Law of inheritance and guardianship are based on religion. It is not so with the principles which [illegible] inheritance and guardianship [illegible] Christians. It is the principle of utility that governs inheritance and guardianship among the Christians. These Christian Missionaries whose religion is all-embracing, think that if the law of inheritance and guardianship is upset the way to storm the Hindu and Mohamedan religious strong-holds becomes very easy. They are not wrong in thinking so. We must be up and doing, and see that it is impossible for them to storm our religious and caste strongholds.

The 13th citizen said:—The British people ruled Mysore for 50 years. If a Regulation like this was needed they would have introduced it. The Government of India [illegible] set their face against the Missionary attempts in this direction. In the [illegible] case which dragged on from 187[illegible] [illegible] and in the case of Dasappa Vs. Chick[illegible] which was agitated in 1882, the Missionaries moved heaven and earth to get this Act passed. They failed. Their agitation in 1880 and in 1899 met with no better fate, and when Her Highness the Maharani, the Regent expressed great sorrow and pain to Government of India to become the intrument of imposing such an unpopular legislation upon her people, the Gov't of India set their face against the measure The Missionaries seem determined to take no defeat. They are irrepressible. They will continue to renew their attacks though defeated ever so many times. self-defence we should take leaf from their adventurous biography therefore I strongly protest against this Regulation.

The 14th speaker said According to the Hindu Law, the right to property depends on the competency to perform certain religious rites and ceremonies prescribed in the Hindu Shastras Hence a leper or a born deaf, dumb or blind person, owing to his incapacity to observe religious ceremonies, forfeits his claim to the parental property In the right of succession, therefore religious efficacy and blood-relationship must needs go hand-in-hand. The supporters of the bill quote in this instance, the right to property of a daughter Yes. however contend that the daughter has the right, because and only because she is capable of producing a son who can discharge the prescribed religious duties. An understanding also is made between the father and his daughter on her marriage occasion to the effect that the son to be born of her, should be handed over to her father and be deputed to perform his after-ceremonies. Thus, in this instance also, religious efficacy and blood-relationship serve to give her a claim upon the property Even then—mark it is only a limited interest that she has over the property, for she can only enjoy it during her life-time and then has to hand it over to the heirs of the last male-holder. But if, in spite of all this, the supporters of the Bill can assert that it is only on blood relationship that the right to property depends. I ask why it is that the sister, the nearest in blood-relationship to her brother, should be deprived of any share in the property. Until recently, the sister was not at all considered an heir to her deceased brother But after a good deal of struggle it was decided that the sister can come in as the last *Bandhu* on the ground of her capability of producing a son who can offer oblations to the deceased and his ancestors. It is note worthy that even here the sister's son takes precedence of the sister by reason of his capacity for offering religious oblations to his mother's father, who is no other than the father of the *propositus*. But if, without going into these details the

The Evening Mail.

THURSDAY, NOVEMBER [illegible], 1905.

Mysore Legislation.

It has been often suggested in the public Press and in private circles that Mysore should have a Legislative Body of its own for promulgating laws and regulations. In almost every Representative Assembly this matter is brought up for discussion, and in the end it is left where it was in the beginning. A State, which is far ahead in many respects of other Native States, may not reasonably refuse to have an institution the usefulness of which cannot now be questioned. Travancore has its Legislative Council, and even Hyderabad has one; and why not Mysore? It is perplexing to see the dogged persistence of the Government in this respect, when it has made a move, and even a strenuous endeavour, to establish a Board of Revenue. We ask the authorities whether a Legislative Council is not of greater importance than the Revenue Board. The consequence of this great want, a vacuum in the administration of the State, leads to many unexpected complications, and very often to untold miseries, as we will show further on. Every legislative measure is to be well threshed out before it becomes fit for use as an Act, and no threshing floor is better suited for the purpose than a Legislative Council. If this were not the case, we fail to see why such institutions are maintained in British India at a considerable cost. The Government of Mysore cannot plead want of indigenous talent for well performing the duties which are necessarily to be done in such a Council. The glowing report of Mr. Cook, the Principal of the Central College, which he read only last Saturday, is sufficient evidence to disprove the plea. In every civilised community codification has replaced every other mode of making laws, and Legislative Councils, are, we think, the best forges whereon to beat and mould the codes into proper shapes and forms. The discussion and deliberation which are necessary for the getting up of a good and useful code are absent elsewhere.

One instance may here be given to show how all the acts of the legislator are done by the Executive authorities in Mysore. The Regulation which the Government of His Highness the Maharaja of Mysore desire to introduce at an early date into the Province is one for removing the disabilities which change of religion at present entails upon the convert so far as his civil rights are concerned. Our readers may well be reminded here that the two important religions in India to which the greater portion of her population belongs, we mean the Hindu and the Mohamadan, both of them affect the civil rights of a person, if he were to adopt a new religion in place of the one he was born in and bred up. This is a hardship which demands removal, as it places restrictions upon the free choice of religion. Religious toleration, or free and unhampered scope for the exercise of conscience, bespeaks of high development—both intellectual and moral. One's conscience should never be tied down to move in a fixed groove, with a penalty attached to one's departure from it—a penalty which goes to the root of one's existence. This is a matter, however, which concerns the person desirous of conversion, and the Government interference in it seems to us to be unnecessary. Such an interference is, moreover, opposed to the policy of the British Raj whose watchword in the administration of India is non-interference with the religion of the governed. There is another aspect of the question, and that is that the Regulation which is sought to be now passed into law would most affect the social fabric of the two communities we have mentioned above. A reference to the illustrations in the first Regulation will make it clear that a Hindu co-parcener may be compelled to have by his side, perhaps in one and the same [illegible] family house, a Mahomedan or a Christian brother. It is true that a partition may be effected among such members, but partition is one of intention, as it involves a change of status. And any partition against the intention of the members of a joint Hindu family is foreign to Hindu Law. This leads us to a matter on which the draft is silent. It does not intimate to us whether the Hindu co-parcenery with the many incidents attached to it still subsists, when one of the co-parceners renounces the Hindu religion and is yet entitled under the Regulation, to his interest in the joint family property; or whether the [illegible] fact of conversion by itself dissolves the co-parcenery.

The law of intestate succession is an important branch of the personal law of a person and we find therein many complications and intricacies. Under the present Regulation, it is difficult to find whether survivorship which is an incident of the Hindu co-parcenery continues after the conversion of one of its members into an alien religion. If this right so continues, there will be many difficulties in the administration of justice. The convert becomes entitled by survivorship to the share of his undivided Hindu father or brother on the latter's death, and in many instances he may rise to be the manager of the co-parcenery which position casts on him many arduous duties one of which is to protect the Hindu members. His position will then be anomalous, as a convert cannot well look after the religious welfare of his Hindu relatives. It may be that conversion does not disentitle a person to have the custody of his own children, though the latter are still in the religion in which they are born. But in a joint Hindu family, the manager has under him many persons who do not stand in the relationship of children to him. Again, the father becomes a convert and his son, a major for instance, remains a Hindu with his grandfather. What is the position of the grandson with regard to the ancestral property? If the convert father by mere conversion becomes separated from the joint family, his non-convert son remains a member of it. Under the Regulation the father can take his share of the family property, [illegible], what is the son to get? Is he to get a share in the family property again, or is he to get his father's share alone? After the father becomes separated by conversion, does [illegible] remain a member of the joint family? [illegible], for Hindu Law says that, after partition, the separated member becomes the stalk of a new family consisting of himself and his children. We fail to see where the son should go for protection and maintenance; for the grandfather is not bound to give him food and raiment, since he is no longer a member of the joint family, and the son himself will be reluctant to be a member

THE REMOVAL OF THE DISABILTIES OF CONVERTS TO CHRISTIANITY.

:o:

Persuant to the invitation in the Notification dated the 13th October 1905, published on page of the *Mysore Gazette* Extraordinary of the same date, we, the undersigned Hindus, who are deeply interested in the subject" to which the Notification relates, beg to send our opinion as

1. So long as, by the Grace of God, His Highness the present Maharaj of Mysore (May His Highness Dynasty ever piously prosper!) is a Hindu by religion and a Kshatriya by caste (both of which characters he publicly assumed at his recent Coronation). The Government of His Highness" cannot, without gross inconsistency hold it to be "expedient to remove", on its own authority the disabilities arising (under the Hindu Law now in force) from a change of religion or deprivation of caste"

2. To no genuine Hindu can his heir's keeping or losing his religion and caste, be a matter of indifference, just as it cannot be a matter of indifference to His Highness whether his successor in the Mysore Raj be or be not a Hindu by religion and a Kshatriya by caste. If he had been converted to the Roman Catholic Religion, even the present English King Edward VII would, according to the law in force in England, have been deprived of his "right" of succession to the English Throne, "merely by reason of his having renounced" the Protestant Religion."

3. The law now in force in the Mysore State is the Hindu Law, which all Hindus (including the present Mysore Maharaja himself, who by the Grace of God, still remains Hindû,) ascribe to a Divine Origin. (Vide the very first sentence of Justice T. L. Strange's Manual of Hindu Law, which the learned author, his preface declares to have been approved by Hindu Pandits.

4. The minor Raja of Bâlrampur in Oudh, who was, on attaining majority, installed with the title of Maharaja on or about the 29th November 1900, published, shortly before the latter date, a list of the teachers and guides who instructed and helped him during his minority. This list contains the name of no Hindu.

(Vide this Maharaja's speech quoted in Yogì Parthasàrathy Aiyangàr's poem on this Mahàràja's installation, p. 55, Asterisk Note.)

The following is a copy of the speech here referred to

(2) I must thank you, *Khan Bahadur Mumtaz Ali Khan* for all you have done.

(3) I must also thank you, *Mr. Shields*, for all you have done for me.

(4) I must also remember here *Colonel G. W. Anson* who did so much for the estate, and for me personally *in the very beginning*, and to whom I am much indebted."—*Pioneer*, Sunday, July 29th 1900.

Should any person be rash enough to propose that the education of one of the English Princes of the blood royal, who stands in the line of succession to the English Throne, should be entrusted (1) to the Jesuits and (2) to the Jesuits *alone*, would not the British Parliament, by a vast majority of votes, reject the proposal with scorn?

5. If, as soon as His Highness the present Mahàràja of Mysore has been installed, His Highness, defying the Divine origin of the law now in force, presumes to abrogate that law in any respect, it would, (we are afraid) be regarded by all *sane* persons as proving that His Highness has been educated wholly by non-Hindus and no-castes, (whether professed or not), or at least that His Highness has, since his installation, fallen under the influence of non-Hindus and no-castes.

6. Even the British Government, however much interested it may be in Anglicising and Christianising the Indians, will commit a grave political blunder, if it be, as is suspected, at the bottom of the measure now introduced into the Mysore Legislature.*

For, even Major Younghusband, one of the distinguished military and political officers now in the service of the British Government, has, in a letter to a friend, testified to the fact of the revival now of religious fervour in India, and it would be folly to exasperate the people while they are in this mood, by wanton legislation,—(1) adverse to what is dearest to them; *viz.*, their religion, and (2) in response merely to the unjustifiable outcry of the very worst of their foes, *viz.*, the Christian Missionaries and Quasi-Missionaries. These pampered foes of India, by virtue of their influence with the powers that be, carry off the bulk of (1-2) all the various Indian Governments' Educational grants-in-aid and Educational appointments; (3-4) University and other examiners' fees; and (5) even the public subscriptions of Indians for educational purposes, while poor India's millions are either dying of starvation or are struggling day and night for the barest subsistence, being often necessitated to be content with *but one coarse meal in 24 hours.* Let every genuine Hindu judge what a dire [illegible] (1) of India's or mother-of-religions' woe and (2) of the triumph of her worst foe

For plotting 'gainst her Greatest Saviours—
Rama and Krishna and Their Followers,—

is contained in the following extract, though this extract relates only to south India or [illegible] small fraction of the Country:

"The last number of the *Harvest Field* gives statistics of the South Indian Missionary Association which shows that the Christian community increased by nearly 40,000 (from [illegible] to 645,545) during 1904. The above is exclusive of Roman Catholic and Syrian Christians about whom we have no particulars, but their numbers would probably be at least equal to the above".—*Epiphany*, (Calcutta) September 30th, 1905, (p. 154, col. 1.) Mussalmans' feelings towards the Christian Missionaries, may be known from such documents as the letter headed "Dajjal", published by a Mussulman in the *Epiphany*, September 16th, 1905, page 147, col. 2.

The following extract (though it relates to Protestants only) will give Indians some idea of the strength of the enemy's field-force.

"There are to-day in India between seven and eight hundred Protestant Missionaries with University degrees, whilst there are hundreds more who have completed a full theological course in the home colleges previous to ordination; as a matter of fact, the number of lay missionaries working in India is exceedingly small, and most of these also are educated men.

"Now these Missionaries, who as a class, I make bold to say, are more highly educated than the members of the Indian Civil Service live and work in India for a mere living wage. Few receive more than Rs. 300 per mensem; many much less". [*Epiphany*, September 30th, 1905, p. 155, col. 2.] May our Mahàràjas and moneyed classes generally, equip a field-force of orthodox Hindu graduates, "for a living wage" amounting to at least half as much as the "living wage" above mentioned!

7. The "Explanation" appended to Section 3 of the draft-regulation now under consideration, lays down that "a Court shall, till the contrary is shown, presume that it is for the advantage of a minor to remain in the Religion or caste in which he was born." The education given during their minority to the present Maharaja of Mysore and Balrampur, is clearly in contravention of this explanation. Indeed, the late Jayarama Rao, who, during the minority of His Highness the late Maharajah of Mysore was His Highness' Tutor, and who, after resigning his tutorial office aforesaid and when on the point of death, is said to have suddenly

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* Vide even the *Epiphany* of the 23rd September 1905, p. 150, col. 1. The following is what the Editor of the *Epiphany* says:—

"The general anglicising movement that is going on in our cities, and which some find so objectionable, is not an outcome of Christianity; it may be of Government policy, though upon that we will not en turned a Ráma-Bhakta, was known to have been an Atheist during all the time he held the said tutorial office. That, in spite of such adverse environments, the present Maharajah of Mysore and Balrampur remain Hindus, is almost miraculous, and redounds to their credit and the vitality of Hindu institutions based on the law of heredity

[REPORT OF THE METHODIST EPISCOPAL SOCITY—1903, AT MADRAS]

The city of Madras is the third city of India as to population, but first in education and in other respects of civilization. "But this same high degree of education, because upon a non-religious basis, unhinges or unsettles faith and is producing to a large extent not Christians but atheists and believers in neither Christ, nor Brahman, nor Buddha. Here too, in Madras, is what has been aptly termec "Satan's Seat," the head quarters of Theosophy perhaps the bitterest and most implacable fo which Christianity has yet encountered. Worl among the poor, downtrodden pariah progresses but the great middle class is practically untouched, while among the Brahmans, only her and there has a trophy been won for Christ This shows the vitality of Hindu institutions

Section 2, illustration (A) of the sai draft-regulation, says that "a trustee for a endowment of his Religion," will on being converted to another Religion, "cease to retain his interest in the endowment."

Every Hindu inheritor of any propert whatever, is "a trustee" of that property, th same being in the eye of the Divine Law nov in force, an "endowment" for Hindu uses, an consequently ought to lose his interest in suc endowment, after the occurrence of the chang above-mentioned.

9. Quoting an injunction of the Hind Law to the effect "Let him (the King) establish the laws of the conquered nation as declared in their books" and making thereon magnanimous reflection substantially to th following effect, namely,—"Towards the Hindu whom we have conquered, let us Britons, nov in the hour of our prosperity, act in th manner in which they would have acted towards us, had they, in the vicissitudes of fortune, conquered us," honest Christian gentlemen headed by Sir William Jones, procured, even i the British territories, the preservation, to th Hindus, of the Hindu Law in respect of "contracts and inheritances." Can the Government of His Highness the present Maharajal of Mysore,—be less sensible of the requirement of Justice to Hindus than the honest Christia gentlemen, aforesaid? [vide para 11 infra]

May the religious peace of ever Hindu in the Mysore State—the premier Hind State of India, possessing a Hindu population of nearly five millions souls, be preserved b the abandonment of the proposed revolutionar legislation in reversal of the Divine Hindu La now in force in relation to renouncers of th Hindu Faith and Caste," is the earnest praye the world has need. The chief characteristics of the ideal may be hurriedly defined thus. (I) There is the thought of the irresistible power which man can never change, to which it is his only wisdom to submit.

(II) There is the thought that God, that the divine, is not merely over all, but in all, that the whole being of (a) the world and (b) those who dwell in it, is the expression of the divinity.

(III) There is the thought that all men or all men within the Hindu pale, are inseparably linked, are responsible for one another, must in no circumstances part from one another. Such are the main thoughts with which Hindus amid many changes not only in forms of Government but in custom and ceremony and creed, have looked out upon the world for a hundred generations. Such are the thoughts that have made them what they are. The practical result has been to give an intensity to the corporate life of the community which has never been exemplified elsewhere."—[*Christian College Magazine* for April 1895, separately printed Edn. p 13]

"Such an inquiry can have no interest, and in fact no meaning, to those who acknowledge no divine element (a) in the universe and (b) in the history of man—to those who regard all that men perceive and all that they are, as a thing meaningless and inert which has no soul to animate or ruler to direct it."—Id.

In the London *Quarterly Review* and the *Harvest Field* we come across an article styled the "the Influence of India on Christian thought," by the Rev. E. W. Thomson M. A. We cull the following passages from this thoughtful article :—

" For the first time you catch the universal note in Indian religion."

" There are elements of positive truths which the Christian Missionary can accept thoughtfully."

" The prevailing habit of thought in the West, sets God high above us, outside of His Universe. Nature is a machine that has been brought into existence by the Creator; but having been once charged with physical forces, it now runs independently according to the laws which its maker has ordained. This is an attitude very different from the Indians. He would have us realize the existence of God in every blade of grass. Natural Laws are the modes of God's operation. The Anglo-Indian returning to the home-land is concious of a change in himself in this respect. Nature is nearer to him than before and more akin, for God is in it and in him. The European has to glean from India all her sense of the eminence of life. The unity of life leads naturally to the other Hindu conception of the continuity of life. The theory of evolution upset many cherished notions in Europe. In India, it has to overcome no initial prejudice or repugnance in the Hindu mind."

" The Hindu ideal inculcates plain living and high thinking. It rebukes us for our fevered haste to get riches, and our preoccupation with material good. It reminds us that we have driven out from our civilization the life of meditation, and have left no room for it as a part of our self-culture and self-discipline. If one denies the virtue of courage to the Hindu in the physical plain, at least it must be conceded that he often launches away fearlessly from the shores of creature-comfort into the ocean of the infinite, and never turns back."

11. Further, for the edification of would be legislators and as a warning note against a short-sighted policy fraught with danger to the eternal interests of India and outrageous to their long-cherished instincts of religion and philosophy, we subjoin an account of the debates which took place in A. D. 1858 in the British Parliament, when the great Charter *viz.*, the Proclamation of 1858 A. D. was passed :—

" During the debates in the Upper House some few of the Lords spiritual could not keep their tongues from irrelevant or foolish preaching. The Archbishop of Canterbury, for example, hopes to see the ordaining of a system which " would lead to the final conversion of India to Christianity," and urged the Government no longer to recognize any claims of caste. Such was the one moral drawn by a Christian Bishop from events that told ordinary gazers a very different tale! The wisdom of such preaching must have won the deep admiration of all who knew how much the spirit of Christian Proselytism had to answer for the mutiny itself and how vainly the Indian Government had strived to keep within due bounds the growth of an institution as sacred to most Hindus, as a hereditary peerage still is to the average Englishman. It was left for uninspired laymen to consider these Indian questions from a higer standpoint than that of theological zeal. Even Lord Shaftesbury could join with Lord Ellenborough in bewailing the mischief likely to flow from the fierce antipathies, the revengeful yearnings sown by past events in the hearts of both the conquering and the conquered races. In words that sounded like a set rebuke to shallow utterances of clerical piety, Lord Derby himself proclaimed how nearly it touched " the interests, the peace, the wellbeing of England, is not also the very existence of her power in India, that the Government should carefully abstain from doing anything except to give indiscriminate and impartial protection to all sects and all creeds." Nor could the State, he added do anything " more inconvenient or more dangerous," than by aiding openly or actively in any attempt to convert the natives from their own religions, " however false or superstitious."

Removal of Religious and Caste Disabilities.

A meeting of the Hindu and Mahomedan communities was held at the Chamrajendra Sanskrit College, Fort at 6-30 p.m. on the 12th instant. About 150 membere of the Hindu community and 50 members of the Mahomedan community assembled in the hall of the College to discuss the desirability or otherwise of the Bill being passed for the removal of religious and caste disabilities Before the discussions commenced the Hindu and Mahomedan members unanimously voted Mr. M. Bhima Row, Advocate to the chair to preside in behalf of the Hindus, and Mr. Macci, Professor of Arabic and Hindustani, of the Central College, was also voted to represent the Mussalman community. After the chairmen took their seats Mr. Bhima Row explained to the Hindu and Mahomedan citizens assembled at the hall the object of convening the meeting, and then asked the Hindu members to give their opinions for and against the said Bill. The Mahomedan chairman did the same.

The first speaker was Mr. D. Narrainsastry, who spoke for about half an hour, and quoted chapter IX. of Manu's Institutes that an outcaste from the Hindu religion forfeited his right to inherit the property of his Hindu father and other relations, if any, who died issueless.

The next speaker was Mr. Appajiah, City Municipal Commissioner who objected to the passing of the draft regulation, and referred to the Instrument of Transfer when the Mysore State was handed over to His Highness the Maharaja of Mysore, according to which no new laws could be introduced into the State. The next speaker was Mr. Abdul Salam, who also stated that a convert from Mahomedanism was not entitled to inherit the property of his deceased relative. Mr Moulvie Abdul Razack spoke to the same effect. Mr. S. N. Nunjundiah, Pleader, then argued the points at considerable length and showed that it would be a gross injustice to permit an outcaste from the Hindu religion to inherits the properties of a deceased Hindu as the convert would not be able to perform the funeral obsequies of a deceased Hindu In support of his views he quoted portions of the Hindu Law wherein it is laid down that an outcaste, a born blind man, a born lame man, a eunuch, a deaf man, were not entitled to inherit as they were incapable of performing the funeral rites of their deceased relations. Messrs. Seetharama Sastry, Dakshina Murthy Sastri, Singra Sastri and Ramasastri spoke to the same effect.

The Chairman, Mr. Bhima Rao, spoke at considerable length, and pointed out that according to, Hindu and Mahomedan Laws a convert from either of the religions was not entitled to inheritance, that similar meetings had been held in all places of the Mysore State, and that the Hindus and Mahomedans had strong objections to the introduction of the new Law into the Mysore State, and that if the new Law came into force it must injure the feelings of the Hindus and Mahomedans, as the proposed Law was repugnant to the Law of the Mahomedans and Hindus. The Mahomedan Chairman also spoke to the same effect. It was unanimously resolved to send a memorial signed by all the Hindus and Mahomedans, asking the Government not to pass the Bill. The memorial was signed by all the members, and it will be submitted to the Secretary to the Government of Mysore for consideration. After the resolutions had been passed Mr. Gopal Krishna Sastry, Professor of the Sanskrit College, offered prayers to God to shower His blessings on the King Emperor and his Highness the Maharaja of Mysore, and give them long life and prosperity.

The Mysore Herald.

THURSDAY, DECEMBER, 14, 1905.

THE RIGHTS OF CONVERTS TO CHRISTIANITY.

THE Editor of the *Harvest Field* says that it is with feelings of no ordinary satisfaction that he prints this month the Draft of "A Regulation tor the removal of religious and caste disabilities" issued by the Government of His Highness the Maharajah of Mysore on the 13th October. This Missionary must be animated, no doubt, with feeling of extraordinary satisfaction at the victory that he and his brother missionaries have scored in compelling a Hindu Government to commit a religious and national suicide. The missionaries may flatter themselves that they have successfully goaded some British Residents to be helpless tools in their hands. They may also be sure that the Government of Lord Minto will be credulous enough to accord a summary sanction to a Regulation that lays the axe at the very root of the Hindu and Mahomedan religions, the Hindu and Mahomedan customs and the time-honoured Hindu and Mahomedan traditions. We still hope, though it is hoping against hope, that the Hon. Mr. Fraser will never play into the hands of these missionaries though the public are quite of an opposite opinion. We further hope that His Highness the Maharajah and the Government of Mysore will feel the pulse of the public and drop the Draft Regulation at all costs seeing that it is a Regulation that will trample under foot the Hindu and Mahomedan religious and the Hindu and Mahomedan caste systems. If the Maharajah and the Government of Mysore realise a thousandth part of the discontent and dissatisfaction that has been evoked by this uncalled for legislation, they would, we are sure, withdraw it though such withdrawal may cost the Maharajah his Kingdom and the Dewan and Councillors their positions. The Draft Regulation has created an amount of unpopularity whos magnitude will be realised fully only when the Draft is passed into law. Those who were at the citizens' meeting and those who saw the utmost efforts made by the organisers of the meeting to maintain order, can realise the suppressed discontent and indignation agains the Govt. that were visible at the meeting Our reporter of the proceedings of that meeting said that Mr. K. Chendrasekhariah had to act the part of a Shah of Persia to maintain orderliness and to suppress the out-burst of indignation on the part of people animated by religious fervour. The Missionaries are awakening the tiger in human beings. The Residency played into their hands. Lord Curzon set his face against it openly but with all that attempts

been made. The Proclamation of Her Gracious Majesty Queen Victoria has been misinterpretted and now the missionaries show ecstacies of satisfaction at the surrender of their conscience made by the Govt. of Mysore. We are firmly persuaded that good will come out of evil. The days of dictatorship whether in politics, religion or morals have gone by. The Czar and his infernal lieutenants tyrannised over the people and they are reaping to-day the untoward fruits of their indiscreet conduct. A similar act of indiscreetness on the part of Lord Curzon has goaded even the tame and unheroic people of Bengal to become as spirited as the martial spirits of Ireland. The peace-loving people of Mysore have already begun to exclaim with tears in their eyes, "What can we do when hedges themselves begin to swallow the corn. As the tutors, so the pupils. Our Maharaja was educated by a Christian tutor. It is natural that His Highness should have his sympathies towards the Christians. As the Maharajah so the Minister and Councilolrs. If they had a spark of the love of their nationality would they have permitted a committee consisting of lay Christians Hindus and a Mahomedan to sit in judgment over the Hindu and Mahomedan sacred writings, writings traced to divinity itself. Our Maharajah and his Government have shown that they are better disposed towards Christianity than towards Hinduism or Mahomedanism. Our Government is against us. The British Resident is against us The Government of India is against us. The British Government is a Christian Government and we do not know whether we can find any justice and fair-play in a Christian Government. It is better to fight against this unjust legislation and die if necessary in the attempt." This is what people say. At the Rangacharlu memorial Hall the organisers of the meeting did their very best to suppress expressions of this kind. Their dictatorship ended there. There is no street, no place of business, no shop and no locality where business or pleasure drive people together where the merits of this question is not furiously enlarged upon. Only the other day we saw 'the Nov. No. of the *Harvest Field* and an issue of the *Vrittanta Patrika* consumed to flames and already some fervent religious people are contemplating to launch a boycott of these papers to say nothing of the boycott of their religious and educational institutions. It is a matter for regret that scope should be given for such bad blood between Christians and the non-Christians for this Legislative measure. Christianity has been adding thousand's of people to its fold. This has been going on without any noise whatever. Act XXI of 1850 did little or nothing to expand this fear of Christian influence. In Mysore this Regulation can do very little to enhance the field of conversion in the State. We are decidedly of opinion that this indiscreet legislation will rather retard than accelerate the progress of Christianity. We have very little sympathy with Christian or any other dogmas. We know that all religions from the most enlightened to the most barbarous contain doctrines which if religiously followed would procure salvation to the followers. We also know that all these religions are so many paths to one goal. We are at the same time conscious that all religious are surrounded by encrustations which contaminate the central doctrines of divine philosophy and which deserve to pass through a fiery ordeal of Purgatory. The Missionaries are too highly educated to be unconscious of this. Notwithstanding this, some of them behave like fanatics of the first water and some political officers dance to their tune. It is this dance that led to the virtually defunct Act XXI of 1905. Now there is an attempt made to revive this Act and to strangle the Gracious Proclamation of Her Majesty the late Queen Victoria. This is an attempt unworthy of politicals having any pretentions to political foresight. There is a limit of elasticity to which the patience of the most law-abiding people can be tried, but a pull beyond this limit is not wisdom. There is a tendency among some bigoted Europeans that if Christianity is made the keystone of the British Empire in India, it will stand on a firm foundation. Our experience is quite otherwise. The foundation of the British Empire would be unshakable only when Xian Missionaries are summarily driven out of India bag and baggage. The history of the Missionaries in the world is a history of social, moral, religious and political disturbance. Lord Salisbury showed emphatically that the great weakness of the British Empire consisted in the absence of restraint upon the spirit of aggessiveness that characterised the Christian missionaries in China and other Asiatic countries. Most of these missionaries have shown the warring stuff of which they are made. The Missionary Editor of the *Harvest Field* showed a short time ago how boyish he was by running down the honourable judges of the High Court of Madras. He has now begun to act the part of an oracle in the matter of the Draft Regulation which have begun to shake the very foundations of the society in the province. This priggish Editor has the hardihood to say that the present Draft Regulation is the harbinger of what is in store for him and that before long he would have the satisfaction of snatching away from the Government of Mysore the right of guardianship over minors as well. We shall live to see whether it is possible for this apostle of aggressive Christianity to attain the consummation of this desire. The whole world knows that the Government of Mysore have no power to demolish the religious laws framed by the *Maharishis.* From time immemorial the Maharajas and their Governments carried out the laws and never interfered with them in the radical manner that is being done now at the instance of these misssionaries. This gives us a splendid opportunity to test whether British Statesmen are mere expediency philosophers or whether they are men who stand on the unchanging pedestal of justice and fairplay. The missionary Editor of the "Harvest Field" tries to explain away the glorious principle of neutrality as embodied in the Proclamation of Her Gracious Majesty the late Queen Victoria. Truth, justice and fairplay cannot but triumph in the end. The motto of the Royal House of Mysore I shall stand by justice though Heavens may fall.' It is the duty of the British Government to suffer His Highness the Maharajah to live by the motto or to die in the attempt. We shall live to see the nature of the advice that will be given to His Highness the Maharajah in this most momentous affair. The Government of India and their accredited Agent in this Native State hold the Maharaja responsible to them and ignore his Government. The reason is not far to seek. It is very easy to assert their supremacy over the Maharaja for obvious reasons. But it is not so with the Veteran Statesmen that administer the country. It is really sad, sad in the interests of the British Empire itself, that such a policy should prevail in Native States. We have been of opinion that Mysore is an exception to this rule. But the fears of the people as foreshadowed in our previous issues go to show that the political atmosphere of Mysore is not what it seems and that we are now in a calm which forebodes a dreadful storm. We however, hope that events will prove that the fears of the general public are unfounded and that the calm in which we live has in it no elements of political unrest and disturbance.

The Mikado protects all believers in God whether they be foreigners or Japanese and protects even Missioneries. The Government India and the British Government should take a lesson from this. All religions must be objects of protection. The religion of Government should not be allowed to trample under foot the religion of the subjects. The Christian Missionaries should be prevented from their

21-12-05

INHERITANCE TO CONVERTS TO CHRISTIANITY

—:o.—

WE are glad to find that the people of Bangalore are trying to do their best to protest most emphatically against the unfair and unjust Draft Regulation that the Government of Mysore published in the *Mysore Government Gazette* on the 13th October 1905. We see that there was a meeting in the Sanskrit College, Bangalore where a large number of Pundits, Moulvis, Lawyers, Marchants &c., were present and that they voted Mr. Bheema Rao, Advocate to the Chair. Mr. Nanjundiah, Pleader explained to the audience the objects of the meeting and called upon them to give expression to their views in the matter. Mr. Dodbele Narayana Sastry made a speech in which he showed that caste was different from religion, that a man who gave up his religion to join another was practically dead and was not therefore entitled to any inheritance in his ancestral property. He added that the proclamation of 1858 was clear beyond a shadow of doubt, as regards the pledge of religious neutrality vouchsafed to India by Her Gracious Majesty the late Queen Victoria notwithstanding the reckless misinterpretation of it by interested people. Mr. Appajiah, Municipal Commissioner, paid a high compliment to Her Highness the Maharani the late Regent for praying the Government of India to relieve Her Highness from becoming a party to legislation which was universally unpopular among her non-Christian subjects and succeeded in getting the question shelved. Mr. Nanjundiah said that the disabilities of converts was not of a recent origin, that it existed from time immemorial, that the Hindu Law conferred the right of inheritance only on those who could perform sraddhas and offer *Pindodakas* to the manes of those in whose property they claimed their share, that a convert to Christianity could not perform such ceremonies and was therefore disqualified to inherit any such property. He rose to great eloquence when he spoke of the solemn pledges given by Her Gracious Majesty Queen Victoria of the blessed memory. He told the audience that the Draft Regulation struck at the very root of the religions of India and impressed upon the audience the need there is to protest most respectfully against the Regulation. He informed the audience that a petition signed by 1,200 people against the regulation was already sent to the Government, & that the Vaisyas of Bangalore had sent a separate memorial. He observed that the Pundits at the Sringeri Mutt, Bangalore and the members of the "Sanmarga Pravartana Sangha" had also submitted their petitions.

The Chairman then addressed the assembly. He said that the bill was a direct violation of the most solemn pledges graciously vouchsafed by Her Majesty the late Empress of India. He said that the disinheritance of Converts had grown in India into the dignity of law. It has been, in his opinion, in force in India from time out of memory. The Hindu, the Mahomedan, the Moghul and other sovereigns religiously respected it. The British Government likewise did so. The introduction of the Act was neither expedient nor just, inasmuch as no need for it has been made. If the Draft is made into law it would give a rude shock to the confidence that the non-Christian people had in the solemn declarations of the British Government as regards religious neutrality. He hoped that the Gevernment of Mysore withdraw the Regulation & spared such a shock A Resolution was then passed praying the Government to withdraw the Regulation for the foregoing reasons.

THE

Kolar Gold Fields News.

WEDNESDAY MORNING, JANUARY 3, 1906.

The Ravings of a Mysore Journal.

OVER THE DRAFT REGULATION for the removal of religious and caste disabilities in the province of Mysore, published in the local *Gazette* of the 19th October last, the *Mysore Herald* seems to us t have gone into a state of frenzy and fury—fiercely attacking not only the Christian Missionaries but also the British Resident and H. H. the Maharajah. That it is really so is obviou from one of its recent article under the heading of " Right of Converts to Christianity.' While we hold that it is perfectl legitimate for each caste o community to protect its ow lawful rights and interests b fair and constitutional means, w cannot but strongly deprecat all excesses either of zeal or language in the attempt to guar such interests, be they politica social or religious. To gratuitously malign the missionarie without offence or provocatio and to ascribe to them unworth motives in what they are supposed to be doing for the betterment of the social condition a class of native converts t christianity is a matter which ca hardly be considered justifiabl and such a course can never consistent with the true principl of fair and honest public crit cism, especially in a newspaper which professes to be above the run of journalism! The tone and attitude of the *Mysore Herald* as seen from the said article seem to betray a perturbed state of mind of an injured or aggrieved person rather than the spirit of a calm and judicious Editor, of an independent and uninjured respectable journal. When a correspondent of the *Mysore Standard* characterises this paper (*Mysore Herald*) as a "hysterical journal" while commenting on the scope and character of the article, he seems to have very nearly discovered its present mental condition. This, of all the other newspapers in the Province, makes itself known as a veteran in the profession of journalism! and as a type of loyalty and respect to H. H. the Maharajah!!

But, it is however a matter of regret to note that the article to which attention has been now drawn, leads or brings one to quite a contrary opinion or even conclusion. Not only does this paper speak of the missionaries so lightly, churlishly and uncivilly, but of the British Resident and the Maharajah as well, oblivious of their exalted positions. Not content with imputing improper motives to the missionaries the paper goes on ascribing motives likewise, both to the Maharajah and the Resident, scarcely complimentary to their highly elevated positions. To show how far our view of the article in question is correct we think it useful to quote here only a few of the passages therein: "We still hope, though it is hoping against hope, that the Honourable Mr. Fraser will never play into the hands of these missionaries, *though the public are of an opposite opinion*; "what can we do when *hedges themselves begin to swallow the corn*?" (Italics are ours). Evidently "hedges" are meant by the writer to be the British Resident and tutor; he has his sympathies towards the christians and, is, in consequence, in favor of passing the Regulation heedless of the interests of his Hindu and Mahomedan subjects. Again the article says:—"this is an attempt unworthy of politicals having any pretensions to political foresight;" "it is the duty of the British Government to suffer H. H. the Maharajah to live by the motto or *die in the attempt*; (italics ours) "the Government of India and their accredited agent in this Native State hold the Maharajah responsible to them and ignore his Government"; "the reason is not far to seek; "it is very easy to assert their supremacy over the Maharajah for *obvious reasons* (italics ours) but it is not so with the *veteran statesman*." (Italics ours.)

From the above it is apparent that the writer while attributing weakness of mind to the Maharajah, testifies to the strength of mind of the "veteran statesman." Who is the veteran statesman now in Mysore? The tone and language employed in speaking of the Maharajah and the British Resident—representative of His Majesty the King-Emperor in Mysore, seem to us to be undoubtedly disrespectful and discourteous, if not disloyal also, coming as they do from a subject of the Native State itself who holds the responsible position as an Editor. Not only does the article manifest a lack of respect due to the sovereign position of the Maharajah and the British Resident, but also it tries or has a tendency to produce or promote feelings of dislike or hatred between Hindu and Mahomedan subjects on one side, and Native Christian subjects on the other, of H. H. the Maharajah. While ostensibly attacking the Dewan and Councillors also in this connection the paper betrays a desire to absolve the Dewan from responsibility in bringing out this

THE CHRISTIANIZATION OF HINDU LAW IN MYSORE.

—o—

Sir,— 6.1.06

The slow process of Christianization of Hindu Law in Mysore has already rivetted itself to the eyes and the minds of millions of Hindus in Mysore and elsewhere in India. It is not a mere act of winning souls to Christ but to throw one net to overhaul a large number of the poor Hindu fishes. The simple publication of the draftbill in the *Mysore Gazette* bearing the motto of defender of "Justice and Righteousness has set the country on fire The unfortunate legislation, which God forbid, will be a religious terrible calamity let loose on the law-abiding people of the country. The day of legislation must be observed by the Mysoreans as a day of mourning, as that day will be the day of death of Hindu Law, so to speak. This matchless Hindu Law has for its basis the fundamental principal of equal distribution of wealth, peace at home, the gradual spiritual elevation of even this human beast and in short, the happiness here and hereafter. The proverbial affection of the parents towards the children the youngsters obidience to the elders, the chastity of females, the reciprocal affection between husband and wife, are the outcome of the Hindu Law. In India which is in some respects higher than England, there are no divorce courts, no man marrying twenty-seven wives, no woman marrying thirty times and several other evils for which the defective Christian Law is responsible. Records of people suffering from marriage mania in the Western Countries betray the deplorable weakness of the Christian Law. The *Amrita Bazar Patrika* of the 27th. December 1905 furnishes us with an amusing case of "Forty-six times to the altar." What is this due to? While the Western Countries have no peace of mind on account of the defective law governing them, the impending legislation for the removal of the imaginary disabilities of Christian converts in Mysore, is sure to leave an imperishable mark on the minds of the millions of Hindu and Mohamedan subjects of His Highness the Maharaja, the unfortunate result being a creation of a new trouble in Mysore. The remedy lies in the hands of the people. There is no use in protecting, speechifying, lecturings, cringings or cravings. Your correspondent "A Law-abiding Hindu," has proposed the most successful remedy in his article "An impending danger —A suggestion" which appears in your issue of the 27th Dec. 1905. Like the heroes of Bengal, you must now stand or fall on your own merits. I very much doubt if it is a really a Mysorean who could have had that fertile head in throwing out the surest remedy for the people. To touch the pocket of Rev. Jon Bull is the only remedy. Like the Bengalees, let Mysoreans go to temples and mosques and take a vow that they will not send their children to the Christian Institutions, come what may. To bring the Americans to senses, the clever Chinese touched the American pockets. To make themseves heard in England, the heroic Bengalees touched the pockets of the cotton Lords of Manchester. It only remains with you to touch the pockets of Rev. Father John Bull. I am not sure if those Mysoreans—in their long winter-sleep of centuries, will rise to the occasion. The whole Hindu millions in Indian are ready to curse the backward Mysoreans if they now sit with their folded-hands at this momentous hour. Any inactivity on their part just now will set a bad precedence for the Rev. John Bull to tear the Hindu flesh. Rise, rise, you, the heroes of Mysore if you are really not women in the garb of men!!

A MOURNER,

CORRESPONDENCE

The Editor does not hold himself responsible for the opinions of Correspondents.

THE DISABILITIES OF CHRISTIAN CONVERTS.

—o—

In this note I beg to deal with the subject of Legislation regarding the removal of the disabilities of the converts in two parts. In the first part I shall try to show how and on what grounds it is not good and even expedient to legislate in this matter & in the second part I shall state my objections, in so far as my humble abilities enable me to do, so to the draft as it is (of the proposed Regulation);—

I My objections to the proposed legislation itself are as follows:—

(a) The number of persons that the proposed legislation might benefit, is extremely small; while the number it prejudices is very large; so much so that the cases that might come within the operation of the law will not be one in ten thousand. While therefore the good resulting therefrom is so small, the evil is immense. The so-called rights of the convert will be the real wrongs of the unconverted This is opposed to utility, the first principle legislation.

(b) The proposed legislation is calculated to favour one religion at the sacrifice of another. The religion that will be most affected is Hinduism and next to it is Mahomedanism. By for the largest number of His Highness' subjects profess the former religion and the latter religion is professed by the next largest section of the population. Amongst the Hindus, religion and society are so commingled that it is well-nigh impossible to dissociate the one from the other. All the social reformers have experienced this difficulty and have accordingly allowed time to solve the same. The succession and family rights of the Hindus are governed by the common and shastraic law of the land. No man has any right, unless it be a right created or recognized by smrities etc. These smrities are also religious texts. Thus any attempt to repeal or modify the law relating to succession & the family rights of the Hindus is sure to affect their religion harmfully. When therfore every facility is given to the healthy growth of every religious institution and while the Government have, on more than one occasion, declared their intention to maintain religious neutrality, it is at least inexpedient to interfere in a matter which affects one's religion and social condions. The object with which the Hindu-lawgivers in ancient times enunciated that property was inherited or acquired with the burden of discharging a pious duty to the departed, was to teach the person who came into possession of unearned property a sense of duty to him who earned and left the property etc, to be inherited. The idea was that a man lived not for himself, nor for his time only, but for all others and for all time (past, present and future). Such being the state of society and the ideas governing the same, there is no need for any change in the law.

(c) Further it is useful to strengthen a community in its religious and social rights; communities are so many units that go to make up nationality. So if each of these units is made strong, the entire society becomes so. But if one community is threatened by another, it loses its vitality. This breeds jealousy in the minds of those who stand the chances of being worsted. The harmony between the units being lost the growth of ationality is retarded. In the present instance induism suffers most, because it does not adit coverts.

(*d*) It cannot be said that freedom of tion in the matter of change of religion is couraged by the proposed law. What is

(*e*) The Mahomedan *rulers of India* during their long and autocratic sovereignty did not make any attempt at altering the succession and family rights of their Hindu subjects. Mahomedanism encourages conversion, but the Mahomedan rulers thought that any interference with these rights would be an attack on religion and society, and therefore they abstained from taking that step. They wisely saw that benefiting one community at the expense of another was not conducive to the healthy growth of the entire nationality. It may be urged against this argument that the Mahomedan *rulers* at times converted people by force. Such acts were followed by terrible retribution. They are not worthy of imitation.

(*f*) It is said by some that the *British Indian Act* was passed 55 years go, and that it is too late to oppose a legislation of the kinds in Mysore. It is a mistake to think so. The Proclamation of 1858 practically annulled it. Was there any need for this Law? The only cases of so-called hardship owing to the non-existence of the law are two—(1) one of Hutchi 1879, and the (*2*) other of Dasappa 1894. The hardship experienced in the former was removed long ago by the British Commissioner by introducing the British Indian Act. The so called hardships of Dasappa in the latter case, can never be removed so long as humanity ensures—so long as regard is head to the moral and spiritual interests of the minor. Thus no necessity is shown for the proposed change in the law.

As to the British Indian Act, it may be stated that it was passed at a time when the public were not in a position to form any opinion of the kind, when there were not the means to communicate such opinions. It was something like an exparte degree passed by a tribunal at the instance of one party; the other party not being heard or even given an opportunity of being heard. And being once passed into law, the act continued to remain in the Indian statue book, as a matter of course, the circumstances that accompanied the passing of the act are quite peculiar.

Thus then it is [illegible]

there is no justice in giving the convert the rights of inheritance which come into being after conversion. There is no hardship in thus depriving the convert of his chance of succession. For the person whom he is to succeed may dispose of the property before his death. In that case also the convert gets no shame of such property.

In the same clause (4) " Personal rights" are spoken of. The draft does not make it clear what this expression means and what it includes. Illustrations (e) and (f) give instances in which "personal rights" of the convert are *forfeited.* I cannot find from the draft any instance where personal rights are preserved I would accordingly omit clause (ii) of Section 2, altogether, and also the words " and no heir and representative of that person" in the same Section and its proviso. There is no reason why the heir or representative of the convert or outcaste should also have the benefits of this law.

A Representative Member.

REMOVING DISABILITIES OF CHRISTIAN CONVERTS.

To the Editor of the " Mysore Herald
Sir —

Anent the proposed caste and religious disabilities Removal Regulation I request your leave to add the following to my previous communications.

The law or rather the branch of law which the proposed piece of legislation is calculated to affect is the law of exclusion from inheritance, rather than the law of inheritance itself. Under the " Mitakshara" religious efficacy is not the test for determining one's right to succeed. The general rule that the property goes to him who is nearest to the deceased is not [illegible]. But the same " Mitakshara" lays down that an out caste or a heretic or a lame or blind man cannot succeed. The principle of exclusion from inheritance is based on religious and social grounds. A Lunatic, an idiot, a convert and such others are also excluded. Surely Brahminism has nothing to do with this branch of the law, although Mr. Mayne with his biased opinion regarding the supposed influence of Brahaminism, says so. As I wrote in my last communication published in your issue of 6th January 1906 wealth is acquired by a man not for any mundane enjoyment but for rescuing the souls of the deceased from eternal misery etc. And this object is attained by various means, as by making gifts to the learned, offering sacrifices etc, in short by living the life of a Hindu. Accordingly a lunatic, an idiot, and such others were looked upon as incompetent to make the best use of the wealth they could get by succession and were therefore excluded. Applying the same test of eligibility, an out-caste or heretic or a degraded man had to be excluded. Each religion and society has its own mode of prescribing the course to be adopted to attain salvation. Christianity preaches gifts to be made and prayers to be offered for the sake of the departed. Surely Christianity does not contemplate the gifts being made to or the prayers to be offered by the non-Christians. Hinduism has prescribed its own mode and in so prescribing has excluded the above mentioned persons as ineligible.

An idiot cannot be expected to use any discretion in making gifts or offering sacrifices, inasmuch as he cannot differentiate the good from the bad. So also an out-caste, one who has broken the bonds of his religion will not have any Hindu-idea of making proper use of his wealth. He will live and act every inch of his life a non-Hinudu ; nay, even an anti-Hindu. Innovation in the law that is now sought to be brought about does not help the other ineligible persons, say the blind, the deaf, an idiot and such others. If the innovation is not on religious but on social grounds it must abrogate the rule of exclusion in its entirity and throw open succession to all sorts of persons, provided they come within the definition of agnates and cognates on the principle of propinquity.

As I stated already in my previous note, religion and society are, especially amongst Hindus, so commingled that no Government can enact in this matter without materially interfering with their religion. And interference with religion being quite opposed to policy and principle of Government, Legislation of the kind is impossible.

Mr. Editor, is it not an irony of fate that in a " Hindu State," under a " Hindu Sovereign" and above all while our sovereign is in the protected political alliance of a Government which professes strict religious neutrality (I mean the British Government) I repeat that under such encouraging conditions [illegible] and Hindu Society should be threatened to be invaded on all sides."

Select papers on the subject of the passing of
the draft religious and caste
disabilities removal regulation

No. 1.

Letter No. 206; dated Bangalore, the 17th February 1905; from Rev. D. A. Rees; General Superintendent of Wesleyan Missions in Mysore

have the honor to forward a resolution which was unanimously passed in the General Synod of Wesleyan Missionaries just held in Madras:

"Resolved that this Synod, comprising elected representatives from all the Wesleyan Missions in India, Burmah and Ceylon having heard that the Government of Mysore have referred the question of the disabilities of Native converts to Christianity in Mysore to a select Committee for consideration and report, desire to convey their appreciation of the action taken and to express the hope that on receipt of the Committee's report, they will see their way to the early removal of the disabilities."

No. 2.

Government Order No. J. 2510-18—Legis, dated the 3rd March 1905.

The proposed legislation for the removal of disabilities of Native Christian converts in Mysore has engaged the attention of Government for the past some years, but the divergent interests of the communities affected have not enabled the Government to arrive at a speedy decision. It is now deemed desirable that the whole question should be well threshed out by a Committee consisting of representative members and that the Government should have the benefit of their opinion as to whether any legislation at all is necessary, and if so, whether the British Indian Act as it is, or with modifications, or whether the proposed Mysore Regulation with or without modifications may be adopted. The Government of His Highness the Maharaja are accordingly pleased to appoint a Committee consisting of the following gentlemen:

1. A. E. Staley, Esq., (Chairman), Chief Judge.
2. Dewan Bahadur Mr. N. Subramanyam, Barrister-at-law, Madras.
3. Mr. A. Rangaswamy Iyengar, Judge, Chief Court.
4. Mr. K. P. Puttanna Chetty, Deputy Commissioner, Kolar.
5. Mr Annasami Mudaliar, Rao Bahadur, C. & M. Station
6. Khan Bahadur Mr. Abdul Rahman.
7. Mr. M. S. Narayana Rao

The Committee will have power to examine any persons whom they consider interested in the question and record their statements.

The Government hope that the Committee will be able to finish their labors and furnish their report early.

No. 3.

Letter No. 2075-90, dated the 30th September 1905, from the Chairman of the Committee of legislation for removal of converts' and caste disabilities, to the Secretary to the Government of Mysore, General and Revenue Department.

I have the honor herewith to submit the final proceedings of the Committee on the subjects referred to us. As will be seen we have agreed to recommend the draft Regulation embodied in them (*Vide* enclosure 2 to No. 3, *infra.*)

2. As will be seen, the broad principle of the proposed Regulation is that which has been adopted by the Legislature for British India since Bengal Regulation VII of 1832, that religious laws should not operate to deprive persons of rights which they would possess but for those laws (See I. L. R. XI All, p. 100—*Bhagwant Singh and others* vs. *Kallu.*)

3. We think however we have avoided inconveniences and injustice which might operate by the too general application of this principle, by exempting from peration of the Regulation rights peculiar or only appropriate to a religion or caste:

by protecting persons such as wives or minors who might otherwise be helpless from being forced to acts or to suffer acts inconsistent with the religion or caste in which they were born; by saving persons voluntarily renouncing their caste rules to lead a holy life from being vested by the Regulation with rights which by the law applicable to them they have renounced and by saving so far as practicable a right of adoption to a Hindu whose son has become a Christian. It will probably be held that, by the saving of the Regulation in this last respect a Hindu father whose son has become a Christian can adopt a son to succeed to the adoptive father's separated property (See Mayne's Hindu Law, 6th Edition, para 108 at page 135).

4. The draft Regulation will, it is hoped, meet with the approval of Government. We are well aware that difficulties may arise in applying it. But in the discussions of the Committee we have been unanimous that legislation is necessary and that other proposed measures are impracticable and would give rise to greater difficulties.

5. The connected papers will be returned to you as soon as they are arranged. It must be observed, however, that so far as they represent discussions at our meetings they are incomplete, as we had no shorthand writer present.

[Enclosure 1 to No. 3.]

Proceedings of the Committee on the Converts, Disabilities Draft Regulation, 30th March 1905.

PRESENT

Mr. Justice Staley, Chief Judge, (Chairman).
„ N. Subramanyam, Dewan Bahadur.
„ Justice Rangaswami Iyengar.
„ K. P. Puttanna Chetty.
„ Abdul Rahman, Khan Bahadur.
„ B. P. Annasami Mudaliar, Rao Bahadur.
„ M. S. Narayana Rao.

1. The Committee are all agreed that legislation is necessary to remove the disabilities of converts in respect of property and that no evidence is necessary on this point.

2. Mr. Subramanyam, Barrister-at-Law, proposed that the British Indian legislation should be adopted.

The other members of the Committee are of opinion that the British Indian legislation should not be introduced owing to the difficulties and doubts which have arisen as to its effects, and to the inadvisability of introducing a measure providing for more than is required by absolute justice in the Mysore State to protect the property of converts.

3. The Committee are therefore of opinion that the revised Draft Regulation should be adopted as the basis of change in the existing law.

4. The following alterations are suggested in the Draft Regulation so that the Draft Regulation should begin as follows:—

(*a*) This Regulation may be called "The Religious and Caste Disabilities Removal Regulation. It extends to the whole of Mysore; and shall come into force at once."

We think the Regulation should be denominated not only the Caste Disabilities Regulation but "The Religious and Caste Disabilities Regulation" since it applies to both.

(*b*) On the question whether para 2 should be confined to vested rights or the paragraph should remain, Messrs. Subramanyam and Abdul Rahman were of opinion that the paragraph should remain as it is; and Messrs. Annasami Mudaliar, Puttanna Chetty, M. S. Narayana Rao and Rangaswami Iyengar were of opinion that it should be confined to vested rights.

Mr Subramanyam pointed out that if the Regulation be confined to vested rights, a Hindu may succeed as nearest heir of a Christian, but the Christian will have no right to inherit the property of the Hindu which right may fall in after conversion. On the other hand, it is urged that the Hindu cannot make a will except in restricted cases, while the Christian can do so.

There is a question whether the word, "no person" includes the heir of any person. The wording should be "no person and no heir of any person." The Committee agree that the words "and no heir" should be included.

The majority of the Committee are of opinion that no right otherwise enforceable shall be enforceable under this section after twelve years, from such renunciation, exclusion or deprivation.

The Committee, with one exception consider that in para 2, after the words "be deemed to forfeit," shall be inserted the words "or be relieved of any liability in regard."

In the explanation after the words "original religion or caste," should be inserted the words "if the person so renouncing, excluded or deprived."

Mr. Subramanyam proposed that the Regulation should provide that no person should, by reason merely of his renouncing, etc., forfeit any right which he may have to the custody of his minor children. The rest of the Committee are of opinion that minors should remain in the religion in which they were born until of an age to exercise their own discretion in matters of religion. To the explanation to the words "a right to recover the custody of minors who have not ceased to remain in the original religion or caste" the words "of such person so renouncing, excluded or deprived" should be added. This provision as to minors might conveniently be made in a separate section.

The Committee are of opinion that a proviso should be added to the explanation (or to the new section) that nothing in this Regulation shall be held to limit the discretion of a Civil Court to pass orders consistent with justice, equity and good conscience for the custody of minors or their property for their benefit.

The Committee are of opinion that after the words "to administer a trust" should be inserted the words "or to retain or perform the duties of an office.

The Committee are of opinion unanimously that the last clause of the explanation should be omitted from the explanation and should be formed into a third section of the Regulation to run as follows:—

> " 3. No such person shall retain any right whether relating to property or not to the extent to which the exercise thereof etc., (as in last clause of the Explanation) in respect of religion or caste "

The Committee are of opinion that a fourth section should be added that "No such person shall, by reason of any thing in the explanation to section 2 or in section 3 of this Regulation, forfeit his right to money compensation in respect of any right of which he may be thereby deprived when such right can be estimated in money."

[Enclosure 2 to No. 3.]

Letter No. 2482, dated the 12th April 1905, from M. S. Narayana Rao, Esq., Deputy Commissioner of Shimoga, to the Registrar of the Chief Court of Mysore.

I have the honor to acknowledge receipt of your letter No. 5347-52—228, dated the 31st ultimo, forwarding a copy of the Proceedings of the meeting of the Committee on the Converts' Disabilities Draft Regulation held on the 30th ultimo, and to state that I have no further suggestion or amendment to make.

2. In order to make the meanings of the several alterations suggested clear, I have embodied them in a new draft which I beg to enclose for the information of the President and for circulation to other members, if he considers fit.

(Enclosure to the above.)

Whereas it is expedient to remove certain disabilities arising from change of religion or loss of caste, His Highness the Maharaja of Mysore is pleased to enact as follows:—

1. This Regulation may be called the Religious and Caste Disabilities Removal Regulation. It extends to the whole of Mysore and shall come into force at once.

2. No person and no heir of any person shall by reason merely of his renouncing or being excluded from the communion of any religion or being deprived of caste be deemed to forfeit or be relieved of any liability in regard to any vested right to or in property which he would have had, but for such renunciation, exclusion or deprivation.

Explanation.—In this section, the expression " Right to or in property " means and includes a right of inheritance or to partition of property or to maintenance out of property, but does not include a right to live in the family house with members continuing in the original religion or caste, or a right to administer a trust connected with or perform an office relating to the original religion or caste so renounced, excluded from, or deprived of.

3. No such person shall retain any right to recover the custody of minors who have not ceased to remain in the religion or caste, so renounced or from or of which such person is excluded or deprived.

Provided that nothing in this section shall be held to limit the discretion of a Civil Court to pass orders consistent with justice, equity and good conscience for the custody of minors or of their property for their benefit.

4. No such person shall retain any right whether relating to property or not, to the extent to which the exercise thereof is likely to interfere with or to adversely affect the exercise by other members of the family, divided or undivided, of rights to which such other members are entitled.

5. No such person shall, by reason of anything in the explanation to section 2 or in sections 3 and 4 of this Regulation, forfeit his right to compensation in money in respect of any right of which he may have been deprived, so far as the loss caused by such deprivation can be estimated in money.

6. No suit for the enforcement of any right to which such person may be entitled by virtue of this Regulation shall lie, unless it is filed within twelve years from date of renunciation of religion or exclusion from or deprivation of caste of the person so renouncing or excluded or deprived.

[Enclosure 3 to No. 3.]

Letter dated Madras, 30th May 1905, from Mr. N. Subramanyam, to the Registrar of the Chief Court of Mysore.

Forwards a copy of his minute on the Proceedings of the Committee appointed to consider the disabilities of converts and outcastes.

(Enclosure to the above)

Minute.

There are three points on which I differ from the opinion of the majority, and I think it is my duty to state my reasons for the opinions I hold. They are :—

(1) as to the extent of the relief in respect of property that is to be afforded to persons changing there religion or becomming out-caste,

(2) as to the period within which such rights should be enforced,

(3) as to the right of such persons to the custody of their minor children.

I. *Relief as to rights of property.*—The Hindu Law considers any one who became a convert to any other religion or for any reason became an outcaste as civilly dead. The Committee were unanimously of opinion that legislation was necessary to remove the disabilities of such persons in respect of property, and although they were not willing that the Act of the British Indian Legislature (Act. XXI. of 1850) should be applied to Mysore in its entirety, still they showed a desire that the convert or outcaste in Mysore State should be given as much right to property as absolute justice required.

Let me first state what the position of a convert or outcaste in regard to property now is :— (1) He cannot successfully claim a share in any property in which he had a vested right as a coparcener. (2) He cannot claim to take any property by inheritance or succession.

The majority of the Committee propose to give him relief only in regard to the first. If a man who is a member of a coparcenary becomes a convert, the Committee propose that he should be enabled to sue for partition and obtain his share. This is pactically a relief which he can work out for himself by obtaining a decree for partition before conversion. The real disability under which he labours and for which he can get no redress as the law now stands is in respect of rights of inheritance or succession which fall in after his conversion. Suppose a man becomes a convert and his father dies possessed of considerable property leaving him surviving besides the son a distant *gnati* several degrees removed. According to the opinion of the majority, the son ought not to succeed to the property and the distant *gnati* should inherit the whole. Or put an extreme case, if there was no *gnati* at all or any other of kin who under Hindu Law could claim to inherit, the king should take the deceased's property and not his convert son. Now I ask whether it is in accordance with absolute justice that it should be so. The only reason that can be assigned to the exclusion of a convert from inheriting his Hindu father's property is that he is disqualified to make any offerings for the spiritual benefit of his father. But I wish to point out that in Provinces governed by the Mitakshara, the right to inherit is governed not by religious efficacy but by propinquity. See Mayne's Hindu Law. 6th Edition, S. 509. This being so, it is but natural justice that the son, although a convert, should inherit his father's property as being the nearest of kin. There is no reason to suppose that a father's love for his son who has become a convert or interest in his welfare is any the less on account of that circumstance. I know myself cases where a Hindu father has given his son who has become a convert a share in his property. If the father was so displeased with the conduct of his son that he did not wish that the son should take any share in his property he could make a will disposing of his property in any manner he pleased. In the absence of such disposition, it is only right that the law should give the roperty to the son.

Hitherto I have been considering the case of disability to inherit arising from conversion to a different faith. There is another phase of the question that has to be considered. The Hindu Law was framed ages ago when the advantages of a travel to foreign countries were not appreciated. Now in this enlightened age it is considered a great advantage that young men of respectable families should be afforded every inducement to travel to such countries as England, Germany, Amerca, and Japan, in order that they may acquire proficiency in the different scienices, arts nd industries. Many Hindu fathers have begun to send their sons to foreign countries for such purposes, and not only the Government of India but also many of the enlightened Native States including Mysore are sending young men to England and other countries with the consent of their fathers or guardians with a view to their being trained in special departments of science, art or indusry. Such young men by reason of their stay in such foreign countries must necessarily lose their caste. If the disability now attaching to such loss of caste, *i.e.*, the disability to inherit their father's property were not removed, few young men having chance of inheriting large property will be willing to undergo a course of training in foreign countries and in addition to being ostracised from their own society to run the risk of heavy pecuniary loss by losing all chance of inheriting the property of their parents and other kinsmen.

The attempt to make a distinction between vested and other rights will lead to considerable difficulties. Supposing a Hindu father dies possessed of large property while his son has been in England prosecuting a course of studies for five years, having lost his caste by so doing. According to the opinion of the majority, the inheritance will not go to the son who was then an outcaste, but to a more distant kinsman. Supposing in this state of things the son returns and performs all the expiatory ceremonies prescribed for regaining his caste. Can he then get back the inheritance? According to Hindu Law as stated by Mayne, Ss. 499 and 533, inheritance is never in abeyance and must be taken by the one who is then entitled to it. and if once taken cannot be devested except in the single case of an adoption.

For the foregoing reasons, I am clearly of opinion that a convert or outcaste is entitled as a matter of justice, equity and good conscience to all rights of inheritance or succession, as if he had not become a convert or been outcasted. None of the members of the Committee who took an opposite view have shown how the granting to the convert or outcaste such rights of inheritance and succession can work any hardship or injustice to any person.

II. The period of time within which the rights of the convert or outcaste should be enforced.—I think that the suggestion that the convert should enforce his right within twelve years is an unnecessary one and is calculated to produce unnecessary litigation and to break up community of interest between people who may otherwise live together in harmony and peace. Supposing there are two Hindu brothers holding large immoveable property jointly or carrying on a joint banking business, and one of them becomes a Christian, and supposing that they find it to their mutual interest to hold the property jointly or carry on the business jointly, the suggested provision that the rights of the convert should be enforced within twelve years would compel the convert to enforce a partition by mutual consent or by suit, though both parties will suffer thereby. I think therefore that no special rule of limitation should be laid down for suits by the convert or outcaste for the enforcement of rights proposed to be granted to him, and that such suits should be left under the ordinary rules of limitation.

The Mysore State is known to have pursued for years past an enlightened and liberal policy and to have meeted out even-handed justice to all its subjects. It has so far arisen above caste or religious prejudice as to raise a Native Christian gentleman to the honorable position of Chief Judge of the highest Court in the land, and even confer on him the most important and responsible office of the Acting Dewan of His Highness the Maharaja. I venture to think that no person in such a State should for change of faith or for sojourn in foreign lands in search of knowledge should be branded as an outcaste and made to forfeit his rights of property.

III. The right to the custody of minor children.—The father's right to the custody of his minor children is acknowledged in all systems of jurisprudence. He has a right to have his child educated in the manner which he considers most beneficial to the child. He has a right to bring up the child in the faith which he believes in. He has a right to apprentice the child to any trade he pleases and to take the earnings of the child. He has right to dispose of the child, especially of a girl, in marriage He has a duty cast upon him of maintaining the child which can be enforced either by a Civil suit or by the summary process laid down by the Criminal Procedure Code.

The majority of the Committee are of opinion that minors should remain in the religion in which they were born. I do not understand what this phrase means. I do not think that a child is born in any religion. It would be more correct to say that a particular child was born when its parents were professing a particular religion. The general principle of law in regard to religious education of children is that the father has the absolute right to decide in what religious faith his child should be brought up and it would naturally be the faith which he himself professes. There is no authority that the child should be brought up in the religion which the parents professed when it was born. It is but natural that a father who changes his faith after a child is born should desire that the child should be brought up in the new faith which he believes in and not in the old faith which he has discarded as erroneous. I am aware of the judgment of the Chief Court in *Dasappa* vs. *Chikkamma* With all due respect to the two judges that formed the majority, I think the view adopted in that case is erroneous. See Mayne's criticism of that case. In considering the provision of the draft Bill as to the custody of minors, the majority of the Committee seems to have had constantly before their minds the case of converts, whereas the Bill is intended to remove the disabilities of converts and outcastes. I do not know what the view of the Committee is with regard to the rights of an outcaste regarding the custody of his child. Suppose a Hindu by a sojourn of many years in Europe becomes an outcaste and then returns to India. Does he lose his right to the custody of his child? Though he has become an outcaste he may not have lost his faith in the Hindu religion. Suppose two Hindus, husband and wife become Christians, and while in that faith a child is born to them. Suppose they repent of their act and after the performance of proper ceremonies are admitted into Hindu society. Who is to have the custody of the child and in what faith is it to be brought up? While the Committee lay down a proposition of law that the child should be brought up in the religion in which it was born, and that the father who has become a convert to another faith ought not to have the custody of the child, they do not say who is under such circumstances to have the custody of the child or who is entitled to exercise the several rights, duties and privileges in relation to the child which a father was entitled to? Suppose a distant relation takes charge of the child and brings up the child in ignorance and in unwholesome surroundings. Is the father to see all this and sit still? If the father is not to have the custody of the child or control its education, it would seem but natural that he ought to be absolved from the obligation to maintain the child or pay for its education. Would the Committee recommend that the law should be so altered? I need not dilate on this point. I think that every one will see that the greatest injustice will be done as well to the father as to the child by thus separating the child from the control and custody of its natural guardian, the father who is the only person who can be trusted to watch the interest of the child most effectively

As a solution to this difficulty the Committee recommend that a proviso should be added to the explanation that nothing in this Regulation shall be held to limit the discretion of a Civil Court to pass orders consistent with justice, equity and good conscience for the custody of minors or their property for their benefit. I venture to submit that this *Proviso* will not in any case enable an apostate father to recover the custody of his child. The law binding throughout Mysore is that laid down by the decision of the majority in the case of *Dasappa* vs. *Chikkamma*, and until that decision is either overruled or its effect altered by legislative enactment, it will be binding in all Courts notwithstanding this proviso, and no judge in the exercise of his discretion will do what that decision distinctly says ought not to be done. I think the rights of the father which are based on natural justice ought not to be in any way interfered with, simply because he changes his faith or does some other act honorable in itself, but which the Hindu system considers an act entailing forfeiture of caste.

[ENCLOSURE 4 TO NO. 3]

Letter dated Bangalore, 10th June 1905, from Mr. M. Abdul Rahman to the Registrar of the Chief Court of Mysore.

States that he has no further suggestion or amendment to make in the Proceedings of the Meeting of the Committee on the Converts' Disabilities Draft Regulation, held in the Chief Court of Mysore on the 30th March 1905.

Letter No. C. 690, dated Camp Mysore, 15th June 1905, from Mr. K. P. Puttanna Chetty, to the Registrar of the Chief Court of Mysore.

Adverting to your letter No. 5347-52—228, dated 31st March 1905, forwarding a copy of the Proceedings of the Meeting of the Committee held on the 30th idem and enquiring if I have any further suggestions or amendment to propose regarding the "Converts Disabilities Draft Regulation of Mysore," I have the honor to state that I have nothing to add to the opinion I have already expressed at the Meeting, a summary of which has been embodied in the day's proceedings.

2. The Draft Regulation as revised by the Committee, if passed into law, would recognise as heirs, persons who hav
Hindu and Mahomedan Law of Inheritance, Partition, etc., as enforced in the Mysore Province and this would be a liberal enough concession to make in the present state of public feeling in this State.

Courts directed to carry out those principles so far as justice, equity and good conscience allow, in all cases of doubt.

2. The first principle which may, in the present case, be laid down is that a person should be subject to the law, of the religion in which he remains. At first sight this appears such a truism that it is necessary to state it. But I venture to think that as a matter of fact, it has been lost sight of in framing Act XXI of 1850 as well as the proposed Regulation for Mysore. According to the terms of both, a Hindu becoming outcaste but remaining a Hindu retains rights to precisely the same extent as a person who renounces the Hindu religion altogether. I fail to see why a Hindu becoming a Sanyasi, a Bairagi, or a professional prostitute and therefore outcaste, but remaining a Hindu should not take the consequences provided by the law which he or she voluntarily retains. Another objection is this. While the law would allow the outcaste Hindu while remaining Hindu, to retain all his rights as though not outcaste at all, yet it would not allow the incaste Hindu to retain his rights as against the outcaste. Thus, a Bairagi brother would under it retain his rights over the family property, but the incaste brother would retain no right over the Bairagi's property. I think therefore, that legislation should not alter the laws of the religion in favour of an outcaste, when an outcaste, retains that religion: and that legislation should be confined to defining the rights of converts.

3. The second principle which may be laid down as just is that a person converted from one religion to another, or renouncing one religion, should not forfeit any right common to both religions or to subjects generally, but should forfeit any right peculiar to the religion which he has renounced. This is a principle which, I believe, from the explanation in the Draft Regulation, the Government of Mysore had in their minds when they framed it. The principle is one, however, which does not appear in Act XXI of 1850, the terms of which do not distinguish between general and peculiar rights. The consequence is that, we have such absurdities in judicial decision, as the case *Sham Singh* vs *Santa Bai and another*, I. L. R. 25 Bombay, page 551, where it has been held that a Hindu father does not, after becoming a Mahomedan, lose his capacity to give his son in adoption to a Hindu under the Hindu Law. If it is obviously unjust that a man by reason of religious conversion should lose any of his general rights as a subject, it is also obviously unjust that he should retain any rights peculiar to the religion which he has renounced. I think this principle requires to be brought out more distinctly in the Draft Regulation for Mysore so as to place the matter beyond all future doubt for judicial interpretation.

4. The third principle which may be laid down is that no person against his will should, by reason of the conversion of another person, be deprived of any right to which he is entitled. It may be noticed here, that Act XXI of 1850 while protecting a convert from the consequences of his conversion does not protect others in their legal rights from the consequence of his conversion, as justice, equity and good conscience require. I have no doubt that this principle will, however, be accepted by the Government of Mysore.

5. On the principles stated, I would suggest that the Draft Regulation should be worded to this effect:—

"Whereas so far as consistent with justice, equity and good conscience no person should, by reason of his religious conversion, be deprived of any legal right not peculiar to the religion from which he has been converted and conversely no person should, contrary to justice, equity and good conscience, against his will, suffer detriment to, or alteration in, his legal or religious rights by reason of the conversion of another person, His Highness the Maharaja of Mysore is pleased to enact as follows:—

I. Subject to the provisions of section 2 of this Regulation, no person and no heir or representative of any person shall, contrary to justice, equity and good conscience—

(1) Be divested of any vested interest to or in property other than that which he held solely by reason of the religion from which he has been converted.

(2) be deprived of any right of inheritance or personal right not accruing to him solely by reason of the religion from which he has been converted.

(a) A is a trustee for an endowment of his religion. Out of that endowment he is entitled to provide for his own residence and m[illegible] being converted to another religion, he will cease to retain his interest in the endowment.

(b) A, a Hindu with vested interest in joint family property, is converted to Christianity. He will, on conversion, retain his interest in that property, but without the incidents peculiar to members of a joint Hindu family.

(c) A, a Hindu, dies intestate, leaving him surviving a legitimate son B, a converted Christian. B will succeed A as heir, not by survivorship as a Hindu coparcener.

(d) A, a Hindu, dies leaving him surviving a legitimate son B, a converted Christian. A, before his death, has disposed of his property by a valid will. A's property will follow the dispositions of that will.

(e) A, a Mussalman, with four legally married wives, is converted to Christianity. A, after his conversion, will not be able to divorce them by Mussalman ceremonies.

(f) A, a Hindu with Hindu sons, becomes a Mussalman. After conversion, he will not be able to exercise the right of a Hindu father to give one of his Hindu sons in adoption to a Hindu.

II. No person and no heir or representative of any person shall, contrary to justice, equity and good conscience by reason merely of the religious conversion of another, be divested or deprived of any property, right of inheritance or any personal right which he would have held, had such other person remained unconverted, nor shall such other converted person be able to enforce against him against his will any right inconsistent with his religion.

Illustrations.

(a) A and B are Hindu full brothers and C their half brother. A becomes a Christian. B's right of inheritance to A will not be affected by C becoming a Christian.

(b) A, a Hindu, having a share and th[illegible]ht to live in a joint family house, becomes a Christian. He cannot, contrary to the will of the Hindu members of the family, enforce his right to live himself in the joint family house.

(c) A, a Christian man has a Christian wife B. A becomes a Mussalman and marries a second wife by Mussalman ceremonies. A will remain liable for the maintenance of B, and B will retain her right to divorce him, if she chooses, according to the law applicable to Christians. But A cannot enforce against her any conjugal rights, nor divorce her, except for reasons and in the manner allowed by the law applicable to Christians.

(d) A, a Christian man, with minor Christian children, becomes a Mussalman. He will remain liable for their maintenance. But he cannot *enforce* against them any right of guardianship inconsistent with their religion such as circumcising his minor sons or giving his minor daughters in marriage to Mussalmans with Mussalman ceremonies.

III. Nothing in this Regulation shall be deemed to affect the rights of outcastes remaining Hindus."

6. I think it impracticable and inadvisable to confine the Regulation to interests to or in property which have vested at the moment of conversion. In the first place, if this is done it will leave the law of inheritance, guardianship, marriage rights and all other personal rights between converts and non-converts wholly undefined. The Courts will have no guide to determine them. At present, even, with the provisions of Act XXI of 1850 in force, those rights within British India can only be described as in a state of chaos. Those who have any doubts on this point may read the Rulings: *Sham Singh* vs. *Santa Bai*, I. L. R., 25 Bombay, 552; *Administrator-General, Madras*, vs. *Anandacharri*, I. L. R., 9 Madras, page 466: *Seenammal* vs. *Administrator-General, Madras*, I. L. R., 8 Madras, page 169: the Rulings under the Divorce Acts of 1866 and 1869; articles contributed to the "Bombay Law Reporter" on the conflict of laws between converts and non-converts in India by Mr. G. M. Tripati, Vakeel, High Court, Bombay: Mayne's Hindu Law, 6th Edition,

pp. 64 *et seq.*: and pages 266 *et seq.*: *Govinda Krishna Narayan* vs. *Abdul Qayyum* I. L. R., 25 All., page 546, and the cases and law referred to therein. If the Courts of this State then are left without any law or principles to guide them subsequent legislation will become necessary. Why not lay down general principles and obtain legislation now? In the second place, it is not in effect practicable to determine the moment of conversion, and the moment therefore of vesting of rights. Conversion is an indefinite thing and it cannot be postulated of it definitely whether it consists in mental conviction or verbal expression of that conviction, or in a ceremony such as baptism or circumcision. It is therefore not practicable to confine its results to vesting of property; nor to provide any special limitation to its results as the majority of the Committee think. Questions of limitation can best be settled by the ordinary law of limitation. Lastly, I think from the wording of the Regulation that the Government of Mysore are willing to regulate the law generally as to rights between converts and non-converts other than vested rights in property; and that we should take this opportunity to enable the Government to settle those rights on equitable principles.

A copy of these recommendations will be sent to each of the members of the Committee and he will be requested to state (i) any comments which he may wish to make or his agreement, and (ii) whether he desires a further meeting for discussion.

A reply should be sent not later than the 15th July 1905.

(Enclosure 7 to No. 3.)

Letter No. 206—175, dated Kolar, 10th July 1905, from Mr. K. P. Puttanna Chetty, to the Registrar of the Chief Court of Mysore.

Forwards a memo embodying his views on the questions raised by the President of the Committee, and states that it may perhaps be an advantage for the Committee to meet again and discuss the matter—in which case the opinions of the other members may be kindly circulated.

(Enclosure to the above.)

MEMO.

The question of introducing into Mysore, a Regulation similar to Act XXI of 1850 and XXI of 1866 of British India, was set on foot by Mr. T. R. A. Thumboo Chettiar in 1874, when he was the Judicial Assistant Commissioner. A suit was brought in his Court by Helena Gertrude *alias* Hutchi against one Devanhalli Appiah, and the legal points that arose in connection with it, disclosed that Native Christians in Mysore were labouring under certain disadvantages as regards matrimonial rights and the rights of succession and inheritance.

2. The question was also taken up by the Missionaries, who strongly urged the necessity for the removal of the disabilities. The matter has since then become the subject of animated discussion.

3. The whole trend of the public and official opinion was to the effect that the introduction of a Regulation on the lines of Act XXI of 1850 into a Native State whose Ruler was governed by the Hindu Law, was quite inappropriate and inexpedient. But it was recognised that there was no objection to the "Native Converts' Marriage Dissolution Act of 1866" being introduced into the State. This latter Act was accordingly introduced in 1881, which secured to the convert certain matrimonial privileges. The general rights of converts were discussed at length by the Chief Court in Dasappa *vs.* Chikkanna. Messrs. Thumboo Chettiar, A. Ramachandra Iyer and Sir P. N. Krishna Murti were then on the Bench. The latter two were of opinion that the Hindu Law viewed a convert as having undergone a civil death on conversion, and that the person who apostatizes from the Hindu religion consequently loses his civil rights also, under that Law. Mr. Thumboo Chettiar recorded

a dissentient judgment. The main question in this case, however, was only the right of guardianship. The missionaries did not rest here, but pressed the matter with renewed representations. The question was twice represented to the Government of India, but they declined to interfere in the matter, as it involved a religious controversy and conflicting interests. They thought it inexpedient to call upon a Hindu Prince to enforce a law which overruled the tenets of his own religiou and those of the religion of his subjects. It is therefore clear that the Government of India looked upon the question as one that should spontaneously arise from within the State and not forced on it from outside As, however, the population of the converts in the State increased, it was felt that to place a particular class of His Highness' subjects under peculiarly hard circumstances was opposed to the general principles of good government. An equitable solution of the question was thought necessary and the Draft Regulation of 1902 was the outcome of the long deliberation extending over a period of nearly 28 years.

4. The chief point which the Committee has to consider in the light of the circumstances above described is to determine the limit of the scope of the new Act. On a careful study of the different stages of discussion from which the Draft Regulation has evolved and gauging the present state of public feeling, I am of opinion that a further extension of the scope of the Regulation than what is contemplated by the Draft Regulation as amended by the discussions that took place at the meeting of the Committee on the 30th March last, is inexpedient and unsuited for the time being. It is generally stated that Act XXI of 1850 was passed into law at a time when such a thing as public opinion in India was almost unknown and that the provisions thereof were conceived in harsh lines against the principles of Hindu Law. The Law Courts have found that many practical difficulties arise in the enforcement of the provisions thereof. This Act cannot therefore be adopted as a basis for the Regulation. Involving as it does questions of religion and the immemorial customs and usages of Hindu Law, it is highly undesirable that the contemplated Regulation should override the principles of Hindu Law more than what justice, equity, and good conscience would demand for the sufferers, who till now are denied all rights.

5. In dealing with this question, the rights of converts have to be divided into two classes, 1st, those pertaining to his status as a Hindu, and the 2nd, to the mere inheritance. The matrimonial difficulties have already been solved by the passing of the "Native Converts dissolution Act." As regards the 1st, the convert could not even in justice or equity claim the privileges attached to that position as he has openly renounced the religion which alone could secure to him the rights. As regards the 2nd, although the same principles govern this question also, the expansion which the Hindu Law has undergone in the law of succession and inheritance, the number of judicial decisions which are in force, and the diversity of the principles which govern it in the different parts of India, press on the minds of all hinking people that the convert should not be made to suffer in his rights of inheritance by reason of his conversion. I therefore consider that the requirements of equity and justice will be satisfied, if it secures to the convert the right to or in property which he would have had but for such renunciation, at the moment of his conversion. To put it in clear language, I would state that the convert should succeed to that property which, if a partition was enforced at the time of conversion, he could have secured. To engraft him as an heir on persons who are neither his lineal ancestors nor coparceners at the time of conversion appears to me to be inequitable for obvious reasons.

6. I therefore hold that nothing beyond the vested rights should be conceded to the convert.

7. The principles enunciated in the 2nd, 3rd and 4th paragraphs of the memorandum of the President of the Committee, dated the 27th June 1905, are no doubt conceived on principles of justice, equity and good conscience viewed from the stand-point of general jurisprudence. But the question now to be solved is one that should properly be looked into from the stand-point of Hindu Law and the sentiments of those who are governed by it, on whose rights the intended Regulation aims to encroach.

8. It will not be out of place here to mention that Section 2 of the proposed Draft Regulation embodied in the memorandum of the President may clash with the

provisions of the Succession Act, if the latter is made to govern the Native Christians also. Whatever additional rights the above section may bring to a Hindu in the property of his convert relation over and above that which the Succession Act could give, they may not be more than what will be conceded to him by the 1st section of the same Draft Regulation.

9. In conclusion, I, as a member of the Committee, would rather hold that the Draft Regulation as discussed in the meeting of the 30th March, be recommended for adoption.

10. When the question of disabilities is considered, the Regulation must include not only persons who by reason of their conversion have lost their status, but also those who have undergone degradation by other means. If this is not done, the necessity for another Regulation for this latter class of persons or an amendment on the present Regulation would sooner or later be felt. I therefore think that the Regulation should stand as it was revised by the Committee, *i. e.*,

" Religious and Caste disabilities Regulation."

(Enclosure 8 to No. 3)

Letter dated Bangalore, 10th July 1905, from Mr. M. Abdul Rahman to the Registrar of the Chief Court of Mysore.

With reference to your No. 6606-11—291, dated 27th June last, I have the honor to state for the information of the Hon'ble the Chief Judge that I quite agree with him in the recommendations proposed to be sent to the Government regarding the " Caste Disabilities Removal Regulation." I, however, propose a small verbal alteration in line 6, page 4, of the draft recommendations. It appears to me that instead of " by Mussalman ceremonies," the words "according to Mahomedan Law" would read better, especially when a Mahomedan has no ceremonies to perform, or to undergo any, when he is divorcing his wife.

(Enclosure 9 to No. 3)

Letter dated Shimoga, 11th July 1905, from Mr. M. S. Narayana Rao, to the President of the Committee on the Caste Disabilities Removal Regulation.

Encloses a memorandum containing his views on the subject.

(Enclosure to the above.)

Memorandum.

In pursuance of the directions contained in the communication received from the President of the Committee on the Caste Disabilities Removal Regulation, I beg to say that in para 2 of the communication a distinction appears to have been made between —

(1) " a Hindu becoming an outcaste, but remaining a Hindu," and

(2) a person renouncing the Hindu religion altogether or in favour of another religion.

With regard to (1) :—I cannot understand how a man, while being an outcastel from one religion is still in the same religion.

With regard to (2) : —Bairagis or Sanyasees are persons that are *Hindus* who, by virtue of their having renounced all worldly connections are considered as incapable of having any proprietary rights. In fact, they are considered as civilly dead. Their case, therefore, is not analogous to that of persons who renounce their own religion whether absolutely or in favour of another religion.

I suggest that the draft, the main provisions of which were agreed to at the last meeting, may be considered as the basis of our further considerations, and think that another meeting may, with advantage, be convened to discuss the subject.

Enclosure 10 to No. 3)

Note by Mr. Justice A. Rangaswami Iyengar, dated the 11th July 1905.

I have read the interesting note, dated the 27th June 1905, of the learned President of the Committee suggesting a fresh draft of the Regulation, and beg to submit the following observations:—

2. I was agreeable to the passing of the Draft Regulation with some modifications for the following reasons :—

(i) Act XXI of 1850 has been in force in British India for over fifty years. It has evoked no discontent among the Hindu, Mahomedan and other communities who should be expected to have clamoured for a change, if its operation was felt as harsh or oppressive.

I agree with the first four paragraphs.
(Sd.) A. E. S.

(ii) There is practically no difference in religion or social life between the people of Mysore and the said communities. On the other hand, there is social as well as religious intercourse between them and they are practically the same people. So, even if the Act be open to some objections, the advantage of having one uniform law in this respect was a recommendation in favor of the introduction of the measure.

(iii) The law of a people is the result of their religious, social and political evolution. Even when their system of religion is believed to be of a divine origin and is allowed to govern not only their religious beliefs but also their moral conduct and their ordinary business relations, the needs of a progressive society help to engraft upon the original system changes of more or less importance in the details of that system. This is clearly seen both in the Hindu and Mahomedan Law, in which what are understood as divine commands have been explained and added to by sages and philosophers, though these modifications are also traced to divine origin by the adoption of some fictions. Further changes have also been made by the Courts of Law as a result of interpretation of the text law and of special customs prevailing among particular communities or sects. As observed by Sircar in his Hindu Law, " The rules of the Shastras in so far as they relate to secular as distinguished from purely spiritual matters are not inflexible but may be modified or replaced, if repugnant to popular feeling, or if, in the opinion of the learned, the exigencies of Hindu society require a change."

(iv) It is only natural therefore that as nations advance in civilization and the horizon of their mental and moral ideas expands, they must grow more tolerant towards differences in matters of moral and religious beliefs, and that penalties which were considered just and proper in the case of transgressions or violations, on the part of individual members of a society, of religious or moral precepts, should, in course of time, be considered to be viewed as harsh and undeserved. As pithily expressed in the minute of Sir Seshadri Iyar, " The law of every country contains the remnants of an intolerant age" which are gradually eliminated as each nation advances in civilization.

(v) The principle underlying this piece of legislation is that a man should have liberty of conscience and that he should not suffer in his rights of property when he changes his religion or is outcasted, as the result of the peculiar doctrines of his religion.

This is a proper principle. And it is equally necessary that a person should not suffer by a change in religion or the outcasting of another; and that the person changing his religion or being outcasted should not *gain*.
(Sd.) A. E. S.

(vi) It appears to have been held till now that, according to Hindu Law, a person's right to inherit and to hold property was dependent on his capacity to confer spiritual benefits by performance of ceremonies. But this has been shown to be incorrect and to be due to a misconception as to the significance of the terms Pinda and Sapinda, the latter of which was translated by Colebrooke to mean " One connected by funeral oblations." The correct meaning of the word is, however, said to be " One who is connected by particles of the same body." (See page 120, West and Buhler.) Though the said view has the sanction of judicial authority in Bengal, it is not recognized in the Mitakshara, according to which, consanguinity determines the heritable right, and propinquity regulates the preference among kinsmen. And further, even though rights of succession were originally deduced from considerations of relationship by blood or marriage and the religious benefit which the heirs conferred upon the owner of the property and his ancestors, yet the tendency of society and of case law has been not to disturb possession once vested: *e. g.* an unchaste widow in possession of her husband's property.

I agree.
A. E. S.

3. It was for these reasons that I gave my consent to the Draft Regulation as amended by the Committee. The learned President of the Committee has now enunciated some principles and suggested that the proposed Draft Regulation should be modified in accordance with them.

4. The first principle recommended by him is, that a person should be subject to the law of the religion in which he remains and that the present legislation should omit the outcaste when he retains the religion. Leaving out the converts from the present discussion, I beg to observe that a person can be outcasted only for unchastity, vices or conduct contrary to the tenets of his religion. A Sanyasi or Bairagi entering a religious order should not be confounded with an outcaste. He is guilty of no violation of religious precepts and though he is civilly dead, he is member of a religious order which is esteemed as very holy among the Hindus. And the loss of rights of property in his case is the result of voluntary renunciation. But it cannot be said that persons put out of caste against their wish according to the Hindu Law would voluntarily consent to abide by the penalties laid down as the result of such outcasting, simply because they do not forswear the spiritual dogmas of that religion. The Hindu as well as Mahomedan religion may be divided into two portions namely, the spiritual and secular, or as observed by Their Lordships of the Privy Council, Religion and Law. The latter lays down laws for social conduct of its votaries and prescribes penalties for their infringement. A person may adhere to the spiritual dogmas of his religion without agreeing to be governed by its hierarchy or submit to the penalties imposed by its secular laws.

I did not say that persons renouncing their caste rules to lead a holy life were cast out or ejected from caste. But whether they leave their caste for holy motives or are caste out, they leave it.
A. E. S.

5. The object of the present legislation being to mitigate the penalties where they are harsh and contrary to principles of justice and equity, there is no good reason why the outcaste should not also be brought under the scope of this Regulation. Considering that our principles of Hindu Law including the modifications or interpretations made by Judicial decisions are, so to speak, in a fluid state and uncertain on questions regarding outcastes and the penalties to which they should be subjected, a statutory provision like the one proposed would, in my opinion, be a great advantage.

This has been done in the revised draft.
A. E. S.

6. Instances are quoted where there is no reciprocity, that is, where a person in caste is not allowed to inherit the property of an outcaste, while the rights of the outcaste are left unimpaired as a reason for not legislating for the outcaste. But this inequality in treatment may be rectified by confining the legislation to vested rights alone and adopting any other modifications which are found necessary.

As above.
A. E. S.

7. The second principle enunciated in para 3 does not appear to be clearly defined. It is not clear what rights can be said to be common to the religion renounced and the religion adopted and what can be called peculiar (i). Even as regards rights of inheritance to property, each religion has its own peculiar order of succession and rules as to the extent of individual shares (ii). I venture, however, to suggest that by confining the present legislation only to vested rights of succession to property, the absurdities referred to in the said para 3 may be obviated (iii).

7. (i) Courts of law have in the past and must in the future, in case of dispute, decide what peculiar rights a person must abandon when he changes his religion.

(ii) It is for this reason that it is necessary to lay down principles to determine what should be done where they conflict.

(iii) The difficulty is that it is impracticable to determine when change of religion occurs, and therefore to determine what right do vest, and that it is necessary to provide for right which do not vest at once.

A. E. S.

8. The third principle seems to be quite sound and it is certainly necessary that in protecting the right of a convert we should not subject the convert's relations to be wronged. This has been kept in view in the draft adopted by the Committee by the words that no convert or outcaste shall "be relieved of any liability in regard to property," (i) and it may be found possible to show that illustrations given in the learned President's note are more or less provided in the draft.

8. (i) But this original draft leaves all other rights unsettled.

A. E. S.

9. I am not convinced that the preamble (i) and Section 1 of the Draft Regulation should be re-cast as proposed in para 5. As it is, the wording of the section is somewhat abstruse (ii) and it is difficult to comprehend its full force.

9. (i) The principle enounced in the preamble is that no person should gain or lose so far as possible by a change in religion or caste of himself or another.

A. E. S.

(ii) It is impossible to state the principle in more simple terms, and none are suggested.

A. E. S.

10. As regards the illustrations :—

Illustration (*a*) is provided (i) in clause 3 of explanation to Section 2 or may be expressly provided in the last clause which it was proposed to embody as Section 3. It may also be necessary to add the words "or members of the caste or community" after the words "members of the family divided or undivided."

10. (i) The last draft merely states the principle accepted in the first draft of the Committee.

Illustration (*c*) (ii) is open to criticism. B, at the time of his conversion, had only a right to an equal share with his father. Since B is a convert at the time A dies, he cannot succeed to A's share of the property except as a survivor. Their Lordships of the Privy Council have observed in Abraham *vs.* Abraham that "Parcenership, understood in the sense in which their Lordships here used the term, as expressing the rights and obligations growing out of the *status* of an undivided family is the creature of, and must be governed by, Hindu Law Their Lordships, therefore, are of opinion that, upon the conversion of a Hindu to Christianity, the Hindu Law ceases to have any continuing obligatory force. He may renounce the old law by which he was bound, as he has renounced his old religion; or if he thinks fit, he may abide by the old law, notwithstanding he has renounced his old religion." (Pages 68—69, Mayne's Hindu Law, 6th Edition.) And, as under the Indian Succession Act, a convert to Christianity is governed by a separate personal law, it will be anomalous to allow him to claim the benefit of the Hindu Law of Parcenership. (iii)

10. (ii) The illustration was given with a view to the ruling Abraham *vs.* Abraham M. I. A. Vol. IX page 237, and because of it, and in accordance with it. It is because, as there laid down, Parcenership is severed as by partition so by conversion, that B the convert's share in the case illustrated would be severed from his father's share, or would be presumed to be severed, when it was proved that B had become converted. *Consequently,* B on the death of his father would succeed *not* by survivorship but as *heir,* if his father left no will or did not dispose of his half share, as he could do, on severance. B being the legitimate son of his father would succeed to his father's half share, if undisposed of at the time of his father's death, under Christian law.

A. E. S.

10. (iii) This is exactly my point; that B could *not* claim as coparcener but as *heir.*

A. E. S

Illustration (*d*) is unnecessary for the same reason. For, if B had, at the tim of conversion, no present right in the property willed awa by A, the alienation by will cannot affect him. (iv)

10. (iv) B's half share being severed, could not be disposed of, by the will of A. But A could dispose of his own half share. He could do so now, after severance. The law is not altered except that B's share is saved to B.
A. E. S.

Illustration (*e*) would seem to be superfluous according to the original Draft Regulation as amended by the Committee, and would als follow from Section 3. (v)

The same remark applies to (*f*).

10. (v) It is the best proof of the justice of the principles I propound; that they are in accordance with the first draft of the Committee, and that one is the corollary of the other.
A. E. S.

11. Section 2, I think, is unnecessary. (i).

Illustration (*a*). It seems to be unnecessary to hav a provision authorising the inheritance of a non-conver to his convert relation. (ii) A convert is expected to follo the law applicable to the religion which he adopts Moreover when a person becomes a convert to anothe religion, it is better for the interests of both communitie that intercourse with the members of his family an of his former religion should cease and that he should have his own connections in the religion which he ha adopted. The case of Anantachari who succeeded to hi convert son under the Indian Succession Act is an exception which need not be supported by any legitimat provision. Moreover, if the deceased convert had a wife o a concubine, and if the brothers had been undivided, or i the convert had been re-united with his half-brother befor his conversion, the application of the Hindu Law to hi case would give rise to very complicated questions. (iii).

Illustration (*b*) is provided for in the Draft Regulation. (iv)

11. (i) If it is necessary to provide that a convert shall not lose or gain by his own conversion, it is equally necessary and just to provide that an unconverted person shall not lose or gain by the conversion of another.
A. E. S.

11. (ii) He can now inherit. A, an unconverted son, a Hindu, would succeed to the estate of his converted Christian father The object of making the law clear that no one should gain or lose by conversion is sufficient reason for legislation.
A. E. S.

11. (iii) It is exactly for this reason that legislation is necessary to lay down just principles to solve such questions.

11. (iv) Above. 10 (v).

Illustration (*c*). This case is provided for in the Indian Divorce Act, se Sections 2, 10 and 37. But it must be observed that thi Act can operate only in British India and so far only a regards British Subjects resident in Native States. Further Section 488 of the Criminal Procedure Code contain provision for the maintenance of wives and children whic can be enforced irrespective of considerations of changes o religion or deprivation or caste, subject to the dictates o justice, equity, and good conscience. (v)

11. (v) That my draft is in accordance in this respect with existing laws is all the more reason for accepting the principles in it as just and practicable.
A. E. S.

Illustration (*d*). This may be also brought unde Section 488 of the Criminal Procedure Code. It is no necessary to consider the question of guardianship, as th Draft Regulation expressly excludes it. (vi)

11. (vi) *Vide* last remark.
A. E. S.

12. As regards the 3rd section, I have already given my reasons for no excluding outcastes from the scope of this Regulation.

12. See remarks against ara 5.
A E. S.

13 I have already given some reasons for confining this Regulation to vested rights, that is, rights which are capable of being enforced at the moment of conversion. If this is not done and the right of inheritance is kept open, a great deal of uncertainty and hardship is likely to result by leaving the door open for the operation of claims to collateral succession. Further, the difficulties brought to light in Mr. Justice Ramachandra Iyar's minute (*Vide* page 33 of select papers) will have to be grappled with. As they are important, it is desirable to quote the cases alluded to by him in some detail.

13. The difficulty is that no one can say at what moment or time conversion becomes perfect; so it is impossible to state at what time rights vested and consequently what rights did vest. The law can only save persons from loss when conversion is proved: and prevent their gaining by a plea of conversion.

A. E. S.

14. If an only son to a Hindu father becomes a convert or an outcaste, it is only just and proper that the father should have a right of adoption, and that there should be no sort of claim on the part of the convert son to claim more than half share in the father's property which he could have enforced at the time of his conversion or his being put out of caste. There is some doubt about the capacity of the father to adopt in such a case. But, as the law of adoption is governed by different principles, the right would seem to be a valid one. (i) If such an adoption should be made, convert son's share is liable to reduction when the partition takes place during the father's life-time. (ii) It may also be stated that the limiting of the convert's rights to the share which he might be entitled to claim on the date of his conversion, may not be found to be a disadvantage in practice, as new parceners may come into existence, cutting down his share or inroads may be made into the corpus of the property to reduce the value of his share. (iii)

14. (i) The final draft to be submitted to Government will provide for this, so that the adopted son may succeed to his father's divided share, but not to the share of the living son disqualified by conversion.

A. E. S.

14. (ii) See above. 10 (ii) Till conversion is ascertained, a son cannot be adopted in place of a converted son. When conversion is ascertained, the converted son's interest will be severed from the coparcenary and the severed share of the adopted or converted son would not under the proposed Regulation be affected.

A. E. S.

14. (iii) See last remark.

15. A wife has a right to claim maintenance from her husband, only if she lives with him or is not prevented from so doing by any misconduct on the part of her husband. Her right must be regarded only as conditional and not as vested. In the same manner, her right of inheritance is only a future contingent right which is likely to come into operation, only when he dies without sons by a fresh marriage, even if she should be in the same caste. It would be inexpedient and impolitic to keep alive such harassing rights. Similar remarks apply to the case of a daughter becoming a convert. (i)

15. (i) It surely cannot be just to hold that a wife clinging to her religion should be deprived of maintenance because her husband becomes a convert: to hold that she must be deprived of not only her maintenance but of her right to inheritance is a still greater and additional injustice. Such deprivation must in cases force her to an immoral life. This is more inexpedient and impolitic than to keep alive troublesome rights.

A. E. S.

16. In these and similar instances, it is for the interest of all communities that there should be a finality in the claims that may be set up by individuals who have ceased either by change of religion or by other conduct from being members of that community (i)

16. (i) It is to settle such claims that legislation is necessary.

A. E. S.

17. Further, unless we restrict the relief granted to converts and outcastes to present, that is, immediately enforceable rights or interests to or in property or for

17. (i) See remarks against para 13.

A. E. S.

maintenance (i), there would be room for such decisions as are reported at Indian Law Reports, 25 Bombay 551 (Sham Singh *vs.* Santa Bai) (ii) and 11. All. 100 (Bhagwant Singh *vs.* Kallu) (iii).

17. (ii) This is the very case of a Hindu converted to Mahomedanism giving his Hindu son to a Hindu in adoption, quoted by me as a reason for my draft, which is directed to avoid such injustice.

17. (iii) This decision was that the law protects a person from having any right of inheritance affected by reason of any person having renounced his religion or having been excluded from caste.

This has been the law, since Regulation VII of 1832 in British India as to Hindus and Mahomedans has worked without difficulty or oppression, and the principle is just.

A. E. S.

18. It is true that it may be difficult to ascertain the date of a person's conversion, but like all ordinary questions of fact, it must depend upon the evidence that is offered, and this would be no valid reason for fixing no limitation as to the nature of the right to be recognised. I advocated the fixing of a period of limitation for enforcing rights recognised by this Regulation, first, because, under the Limitation Act, Arts. 127 and 129, limitation for a suit for a share in joint family property or for maintenance commences from the date when such right is denied, and the date of denial will be hard to fix. And secondly, as it is desirable that such claims should not be kept pending for an indefinite period.

19. As there may be some doubt as to the sense in which I have used the word *vested* rights, it is better to explain that rights and interests may be vested in possession as where there is present right to recover immediate possession or enjoyment. Or they may be vested in interest, but not in possession, as where there is a present indefeasible right to future possession or enjoyment in the happening of certain events. I wish to confine the relief granted by the proposed Regulation to rights vested in possession only.

Paras 18 and 19. As already explained, it is impossible to say when conversion begins or becomes complete, and consequently, when rights vest and what rights vest. If we attempt to define religious conversion, we are put into inextricable difficulties, and must deal with every possible change of every possible religion and its effect. All that we can do is to say that people should not gain or lose by religious conversion, and leave the Courts to do the rest.

A. E. Staley.

Illustration. If A has at the time of becoming a convert or an outcaste, a grandfather, father and an uncle, he should be entitled at once to half of his father's present share namely $\frac{1}{3}$, or $\frac{1}{6}$ of the whole. Neither the subsequent death of any member nor addition to the family by the birth of other coparceners, should affect his share, and he should have no right to claim a share in property which may come into the family by collateral succession.

20. The questions involved are very intricate and deserve to be considered and discussed in Committee. I would therefore recommend a further meeting of the Committee.

(Enclosure 11 to No. 3)

Letter dated Bangalore, 19th July 1905, from the Right Rev. the Lord Bishop of Madras.

There is no test of the time of conversion to Christianity which would be generally applicable to all Christian bodies. Some bodies would regard baptism as the time at which a convert became a Christian, others the profession of faith in Christ or a public profession of Christianity, others the profession of a desire to be instructed in the Christian faith, and others again would regard conversion as a purely internal act taking place in a man's own mind.

It would not be possible, I think, for the law to determine what constitutes conversion to Christianity. It would also be difficult to determine, f[illegible]l purposes, the time of conversion, even in the case of those bodies which regard some outward act as necessary for becoming a Christian, *e. g.*, in the Church of England a man becomes a Christian at baptism. At the same time, there is a stage of preparation for baptism known as the Catechumenate, during which men and women are regarded as adherents of the Christian community and from a legal point of view would be counted as Christians. This period varies in length from a few months to two or three or even five or six years and it would often be impossible to say definitely when it begins. People sometimes attend Christian instruction for a time, and then cease doing so, and then after some months or even years begin again.

To define the time of conversion as the moment when legal rights begin or end, would, I think, lead to much confusion

(Enclosure 12 to No. 3)

Proceedings of the Committee on the Caste Disabilities Removal Regulation, 26th August 1905.

resent :—

Mr. A. E. Staley, Chief Judge.
Mr. A. Rangaswami Iyengar, Judge.
Mr. N. Subramanyam, Dewan Bahadur.
Mr. M. S. Narayana Rao, Deputy Commissioner.
Mr. B. P. Annasami Mudaliar, Rao Bahadur.
Mr. Abdul Rahman, Khan Bahadur.
Mr. K. P. Puttanna Chetty, Deputy Commissione

Read the petitions forwarded by Government for consideration of the Committee : and a letter of the Bishop of Madras.

In discussion it was agreed that it is impossible to fix the time of conversion from a religion so as to afford a fixed point of time from which limitation can run, or at which property or rights become vested. Generally it was agreed that the proposals of the Chief Judge should be recommended, striking out the preamble and with the modifications shown in the Draft Regulation given below. It was agreed that the Regulation should be confined with reference to caste, to persons deprived of caste, since otherwise, it might be possible to hold that persons voluntarily leaving their caste rules to become ascetics might prefer a claim to inheritance, or be vested against their wills with rights which they have renounced (Tagore Law Lectures 1888, page 196, regarding operation of Act XXI of 1850.)

Draft of Regulation.

Whereas it is expedient to remove certain disabilities arising from change of religion or deprivation of caste, His Highness the Maharaja of Mysore is pleased to enact as follows :—

1. This Regulation is called a Regulation for the removal of Religious and Caste Disabilities. It extends to the whole of Mysore and will come into force at once.

2. No person and no heir or representative of such person shall, merely by reason of his having renounced or being excluded from any religion or of his being deprived of caste,

(i) be divested of any vested interest to or in property ;
(ii) be deprived of any right of inheritance or personal right.

Provided that no person and no heir or representative such person shall, by reason of this enactment, be entitled to retain or acquire any property or right, or to exercise any right peculiar or only appropriate to the religion which he has renounced or from which he has been excluded, or peculiar or only appropriate to the caste of which he has been deprived.

Illustrations.

(*a*) A is a trustee for an endowment of his religion. Out of that endowment he is entitled to provide for his own residence and maintenance. On being converted to another religion, he will cease to retain his interest in the endowment.

(*b*) A, a Hindu with vested interest in joint family property, is converted to Christianity. He will, on conversion, retain his interest in that property, but without the incidents peculiar or only appropriate to members of a joint Hindu family.

(*c*) A, a Hindu, dies intestate, leaving him surviving a legitimate son B, a converted Christian. B will succeed A as heir, not by survivorship as a Hindu coparcener.

(*d*) A, a Hindu, dies leaving him surviving a legitimate son B, a converted Christian. A, before his death, has disposed of his property by a valid will. A's property will follow the dispositions of that will.

(*e*) A, a Mussalman, with four legally married wives, is converted to Christianity. A, after his conversion, will not be able to divorce them by Mussalman ceremonies.

(*f*) A, a Hindu, with Hindu sons, becomes a Mussalman. After conversion, he will not be able to exercise the right of a Hindu father to give one of his Hindu sons in adoption to a Hindu.

(*g*) A Hindu Brahmin voluntarily renounces his caste rules and becomes an ascetic. He will not be affected by this Regulation.

3. No person and no heir or representative of such person shall, by reason merely of another person's having renounced or being excluded from any religion or being deprived of caste,

(i) be divested or deprived of any property, right of inheritance or personal right which he would have held, had such other person remained in that religion or caste ;

(ii) be forced to any act or to suffer any act inconsistent with or not appropriate to his own religion or caste.

Explanation.—The religion or caste of any person shall be presumed to be that in which he was born. A Court shall, till the contrary is shown, presume that it is for the advantage of a minor to remain in the religion or caste in which he was born.

Illustrations.

(*a*) A and B are Hindu full brothers and C their half-brother. A becomes a Christian. B's right of inheritance to A will not be affected by C becoming a Christian.

(*b*) A, a Hindu, having a share and a right to live in the joint family house, becomes a Christian. He cannot, contrary to the will of the Hindu members of the family, enforce his right to live himself in the joint family house.

(*c*) A, a Christian man, has a Christian wife B. A becomes a Mussalman and marries a second wife by Mussalman ceremonies. A will remain liable for the maintenance of B, and B will retain her right to divorce him, if she chooses, according to the laws applicable to Christians. But A cannot enforce against her any conjugal rights, nor divorce her, except, for reasons and in the manner allowed by the law applicable to Christians.

(*d*) A, a Christian man, with minor Christian children, becomes a Mussalman. He will remain liable for their maintenance. But he cannot enforce against them any right of guardianship inconsistent with their religion such as circumcising his minor sons or giving his minor daughters in marriage to Mussalmans with ceremonies which subject them to Muhammadan law.

(*e*) A, son of B, a Hindu, becomes a Christian, and is consequently deprived of caste. B will have the same right of adoption, as he would have held, if A had become an outcaste or disqualified son while remaining a Hindu; but the adoption, if made, will not operate to deprive A of property or rights to which A is entitled under Section 2 of this Regulation.

A, son of B, a Hindu, becomes a Christian. After the conversion of A, another son C is born to B. C will have the same rights in respect of ancestral property, as he would have had, if A had remained a Hindu; but the birth of C will not otherwise affect the rights of A under Section 2 of this Regulation.

(Enclosure 13 to No. 3.)

Note by Mr. Justice Rangaswami Iyengar, dated the 29th August 1905.

Replies by Mr. Staley, Chief Judge.	
I am very sorry that these questions were not raised in the final Committee. When I read the amended draft of the Regulation, I expressly asked if the illustrations should be read and explained and you Mr. Justice Rangaswami Iyengar said "The illustrations are all right." As all others were silent when you said this, I understood they agreed with you and understood the illustrations. I am glad, however, that you have raised the questions now, that an explanation may be put on record.	I return the draft proceedings and the Draft Regulation with my signature. I note below for consideration of the Chairman, the following points which do not seem to be satisfactorily dealt with by the present draft.
Preamble.—No. Where there is no caste, a person cannot be deprived of it.	*Preamble*.—Would the words "Deprivation of caste" apply to persons who might be outcasted or excommunicated from Mahomedanism or other religion which does not recognize the institution of caste?
Section 1.—Illustration (*b*). If the convert be undivided, his rights will be undivided till he enforces division. If divided, his rights will remain divided. As an undivided coparcener, he will have all rights as he had before conversion, except such as are peculiar or only appropriate to the religion or caste which he has left: such as the right to succeed not as heir, but as survivor in a joint Hindu family. If undivided, his rights will thus become equivalent to those of a tenant in common: for his *interest* is severed, or presumed severed, when he is proved or admitted to be a convert. (Abraham *vs.* Abraham, 9. M. I. A. 237.)	Section 1.—Illustration (*b*). Would the interest of the convert be that of a divided or undivided coparcener? (1) If the former, from what point of time? Does not this imply that the point of time of conversion or outcasting should be capable of determination as a question of fact?
(2) Of course. Otherwise the unconverted persons would suffer by the conversion of another, and the latter	(2) Suppose that the father or a brother of the convert in this joint family dies, or the father gets more sons, will not the vested interest of the convert in the family

would gain by his conversion or lose. In any case this would be unjust. The principle which we settled to be just is that so far as possible no one converted or unconverted should gain or lose materially by a conversion so long as such gain or loss could be avoided. This was recited in my proposed preamble; but the principle being clear in the Regulation, the preamble was unnecessary and was omitted with my consent. This will not affect persons whose interests are severed, as pointed out in my last remark.

Section I.—Illustrations (c) and (d). There is no doubt whatever as to the power of a Hindu testator under the Mitakshara now, and what property he can devise by will. He can devise by will whatever he might give away in his life-time, his separated or his self-acquired property, and the property he holds in severalty after extinction of coparcenership. (Mayne's Hindu Law, 6th edition, p. 537.) He has this power now, and the Regulation could not justly deprive him of it. If his son becomes a convert, the son under the Regulation can take his own share and the father can devise the rest by will: for, the coparcenary is severed by conversion. If the son does not separate his share, he will retain an undivided half share with his father and the latter can devise only his own undivided half share, because the right to succeed by survivorship as coparcener of his father to his father's share is a right peculiar to Hindus of the Mitakshara school and would not be retained by a convert so as to prevent the father devising his own share.

The illustrations do not. The law does. As soon as a man becomes a convert, he comes under the personal law of his own religion. He will under his personal law be entitled to all rights of that law, saving as provided by Section 3.

This is provided by Section 3 of the draft: and is the *very purpose* of the section. By that provision, the unconverted members will get just what they would have got, if B had remained unconverted, and B too will

property undergo a change? Compare with illustration (*f*) to Section 3.

Section 1.—Illustrations (*c*) and (*d*).

Is it to be gathered from these illustrations that A could alienate the whole of his property by will? The Mitakshara is in force in Mysore, but if the convert son will inherit only as heir and not as a survivor, he may not have the right to dispute alienation by will.

Do not these illustrations in effect change B's right from what he had under the Hindu Law to that of what he might have under the Indian Succession Act?

Suppose B becomes a convert to Mahomedanism instead of Christianity, and there were other relations who

not gain by his conversion anything more than he would get if unconverted. It was exactly to meet this objection that I suggested Section 3, without which the Regulation would be quite unjust.	would also be heirs to A, how is B's share to be regulated according to his original religion or his new religion ?
As above.	Section 3 (1). Will this not lead to .... the rights and obligations of the convert according to his original religion and those of his new religion ? See the following illustration :—
The very principle of the Regulation is that B shall not suffer by the conversion of A. He will have the same rights as he would have had, if A had remained unconverted. In case of any difficulty which I do not foresee, the Courts can always administer on the lines of justice, equity and good conscience which they are *now* empowered to do.	A, an undivided brother of B, becomes a convert to Christianity, and dies leaving a wife, a daughter or a relation who according to the law applicable to A in his new religion would succeed to him in preference to B. Will B have any right in A's property under the Hindu Law ?
As above. Of course, this is so. If the convert is to succeed, the unconverted must be allowed to succeed. As the first draft stood, and as Act XXI of 1850 now stands, the *unconverted* and the *in caste* relatives would get no protection from loss, by the conversion or outcasting of another. Why should they lose their property and rights as well as lose their converted or outcasted relative ? Why should the latter gain at their expense ?	If a convert or outcaste should have future right of inheritance to his relations in his original religion under Section 1, clause (2), does not equity require that such relations should also have similar rights of inheritance to the convert—If so, how is the same to be regulated ?
Section 3 (2). The words were carefully chosen to protect primarily wives and minors from being forced to acts or to suffer acts referred to. The words are used to enable them to resist force. I do not know what other words to use and none are suggested. There cannot conveniently be legislation to avoid persuation.	Section 3 (2). The meaning of the words " be forced to any act or to suffer any act " is not very clear. It is better to redraft this clause.
Illustration (*d*). A good suggestion. Done.	Illustration (*d*). Instead of the words in the end " with Mussalman ceremonies," it is perhaps desirable to say " with ceremonies which subject them to the Mahomedan Law."
A just remark.—The Regulation cannot however well be expressed in the words given. It was no doubt the wish of the Committee at the discussion, that children should so far as practicable be preserved in the religion and caste in which they were born, till of age to choose, themselves. I have added words to the explanation to Section 3, which, I think, will be sufficient. Naturally the Regulation cannot be confined to Hindu children or provide that their relatives, if able to maintain them, shall oust the father's guardianship. The Regulation	I find no express illustration declaring that a convert father shall have no rights of guardianship over Hindu children when relations in their own religion are able to protect them. I am perhaps mistaken and this may follow from the wording of the sections or some illustration.

can, however, provide that Courts dealing with minors may do so, if they find sufficient reason. They have already sufficient power under the Minors Rules to do so. This Regulation will strengthen that power.

It was the collection (conflict of laws between converts and non-converts in India, a reprint of articles in the Bombay Law Reporter by G. M. Tripathi, retired High Court Vakeel) of legal articles which you yourself sent me upon the absurdities and inconsistencies which resulted from the terms of Act XXI of 1850, and which would also result from our original draft, which first prompted me to draft a better Regulation in order to avoid them. Please send it back that it may be filed with these papers.

Everything will be returned to Government including the letter of the Bishop of Madras showing the impossibility of fixing the time of conversion so far as Christianity is concerned, and I hope the collection of legal articles on Act XXI of 1850. It may be noted also that the Mahomedan members of our Committee, Mr. Abdul Rahman, Khan Bahadur, stated positively that it was impossible to state the time when conversion to Mahomedanism occurs, it being merely a matter of "inward conviction." At the last meeting, we were entirely agreed and all considered the matter settled on the lines of the present Draft Regulation. The principles laid down in it are absolutely just. The deductions from those principles must consequently, if properly made, be also absolutely just. If the deductions are not, when the Regulation is in operation, properly made, that is not the fault of the principles. Had any member at the last Committee raised any doubts, I should have been happy to give the solution. But no one did so.

29-8-05. (Sd.) A. E. Staley.

In conclusion, I am unable to get over the idea that the last draft was simpler and free from inconsistency. It was capable of setting at rest all doubtful and troublesome questions of succession and inheritance. The difficulty of fixing the exact time of conversion or deprivation of caste will always exist and should not stand in the way of the adoption of that draft.

I would also recommend that the previous draft, and the notes of the members may all be sent to Government with the final draft and the proceedings in Committee.

No. 4.

NOTIFICATION.

No. G.—Legis. 25-04-41, dated Camp Mysore, 13th October 1905.

The following Draft of a Regulation to remove certain disabilities arising from change of religion or deprivation of caste, which has been submitted to Government by the Committee appointed to consider the subject in Government Order No. 2510-18—Legis., dated the 3rd March 1905, is published for general information.

All persons interested in the subject are invited to send their opinions to the undersigned within two months from this date.

Draft ~~Regulation~~ Bill

Whereas it is expedient to remove certain disabilities arising from change of religion or deprivation of caste, ~~His Highness the Maharaja of Mysore is pleased to enact~~ it is hereby enacted as follows:—

(1) This Regulation ~~is~~ may be called a Regulation for the removal of Religious and Caste Disabilities. (2) It extends to the whole of Mysore ~~and will~~ come into force at once.

2. No person and no heir or representative of such person shall, merely by reason of his having renounced or being excluded from any religion or of his being deprived of caste,

(*i*) be divested of any vested interest to or in property;

(*ii*) be deprived of any right of inheritance or personal right.

Provided that no person and no heir or representative of such person shall by reason of this enactment be entitled to retain or acquire any property or right or to exercise any right peculiar or only appropriate to the religion which he has renounced or from which he has been excluded or peculiar or only appropriate to the caste of which he has been deprived.

Illustrations.

(*a*) A is a trustee for an endowment of his religion. Out of that endowment he is entitled to provide for his own residence and maintenance. On being converted to another religion he will cease to retain his interest in the endowment.

(*b*) A, a Hindu, with vested interest in joint family property, is converted to Christianity. He will, on conversion, retain his interest in that property, but without the incidents peculiar or only appropriate to members of a joint Hindu family.

(*c*) A, a Hindu, dies intestate, leaving him surviving a legitimate son B, a converted Christian. B will succeed A as heir, not by survivorship as a Hindu coparcener.

(*d*) A, a Hindu, dies leaving him surviving a legitimate son B, a converted Christian. A, before his death, has disposed of his property by a valid will. A's property will follow the dispositions of that will.

(*e*) A, a Mussalman, with four legally married wives, is converted to Christianity. A, after his conversion, will not be able to divorce them by ~~Mussalman~~ ceremonies.

(*f*) A, a Hindu with Hindu sons, becomes a Mussalman. After conversion, he will not be able to exercise the right of a Hindu father to give one of his Hindu sons in adoption to a Hindu.

(*g*) A Hindu Brahmin voluntarily renounces his caste rules and becomes an ascetic. He will not be affected by this Regulation.

3. No person and no heir or representative of such person shall, by reason merely of another person's having renounced or being excluded from any religion or being deprived of caste,

(*i*) be divested or deprived of any property, right of inheritance or personal right which he would have held, had such other person remained in that Religion or caste;

(*ii*) be forced to any act or to suffer any act inconsistent with or not appropriate to his own religion or caste.

Explanation.

The religion or caste of any person shall be presumed to be that in which he was born. A Court shall, till the contrary is shown, presume that it is for the advantage of a minor to remain in the religion or caste in which he was born.

(*a*) A and B are Hindu full brothers and C their half-brother. A becomes a Christian. B's right of inheritance to A will not be affected by C becoming a Christian.

(*b*) A, a Hindu, having a share and a right to live in the joint family house, becomes a Christian. He cannot, contrary to the will of the Hindu members of the family, enforce his right to live himself in the joint family house.

(*c*) A, a Christian man, has a Christian wife B. A becomes a Mussalman and marries a second wife by Mussalman ceremonies. A will remain liable for the maintenance of B, and B will retain her right to divorce him, if she chooses, according to the law applicable to Christians. But A cannot enforce against her any conjugal rights, nor divorce her, except, for reasons and in the manner allowed by the law applicable to Christians.

(*d*) A, a Christian man, with minor Christian children, becomes a Mussalman. He will remain liable for their maintenance. But he cannot enforce against them any right of guardianship inconsistent with their religion, such as circumcising his minor sons or giving his minor daughters in marriage to Mussalmans with ceremonies which subject them to Muhammadan law.

(*e*) A, son of B, a Hindu, becomes a Christian, and is consequently deprived of caste. B will have the same right of adoption as he would have held, if A had become an outcaste or disqualified son while remaining a Hindu; but the adoption, if made, will not operate to deprive A of property or rights to which A is entitled under Section 2 of this Regulation.

(*f*) A, son of B, a Hindu, becomes a Christian. After the conversion of A another son C is born to B. C will have the same rights in respect of ancestral property as he would have had if A had remained a Hindu; but the birth of C will not otherwise affect the rights of A under Section 2 of this Regulation.

No. 5.

Notification No J. 1847—Legis. 25, dated the 3rd January 1906.

The period of two months fixed, in Notification No. G.—Legis. 25-04-41, dated the 13th October 1905, for the submission to Government of opinions on the Draft Regulation to remove certain disabilities arising from change of religion or deprivation of caste, is hereby extended by three months.

APPENDIX A.

Table showing the number of Petitions received in connection with the Draft Regulation for the removal of Religious and Caste Disabilities.

Serial No.	Petitioners Description	No. of signatures	Whether for or against the Draft Regulation	Remarks
1	The Protestant Christians of Shikarpur Taluk, Shimoga District.	7	For.	
2	Do Tirthahalli Taluk ...	16	Do	
3	Do Gubbi ...	31	Do	
4	Do Tyamagondlu, Bangalore District.	4	Do	
5	Do Srinivaspur ...	46	Do	
6	Do Chitaldrug ...	10	Do	
7	Do Bangalore ...	174	Do	
8	Do Closepet and Channapatna.	17	Do	
9	Do Dodballapur ...	52	Do	
10	Do Talakad ...	8	Do	
11	Do Bowringpet Taluk ...	49	Do	
12	Do Kunigal ...	17	Do	
13	Do Bommanahalli near Dodbanavar.	35	Do	
14	Do Badachowdanahalli, Maddagiri Taluk.	27	Do	
15	Do Hunsur ...	34	Do	
16	Do Mandya ...	9	Do	
17	Do Davangere and Harihar.	14	Do	
18	Do Kolar ...	167	Do	
19	Do Tarikere Taluk, Kadur District.	32	Do	
20	Do Tumkur ...	193	Do	
21	Do The Kolar Gold Fields	543	Do	
22	Do Mysore ...	245	Do	
23	Do Shimoga Taluk ...	23	Do	
24	Do Tiptur, Tumkur District.	6	Do	
25	Do French Rocks ...	11	Do	
26	Do Krishnarajapuram ...	2	Do	
27	Do Mamballi, Yelandur...	2	Do	
28	Do Hassan ...	137	Do	
29	Do Hole-Narsipur ...	7	Do	
30	Do Channarayapatna ...	10	Do	
31	Do Malvalli, Mysore District.	55	Do	
32	Do Kadur District ...	19	Do	
33	Do Nanjangud ...	10	Do	
34	Do Chikmagalur ...	50	Do	
35	Do Chamrajnagar ...	9	Do	
36	Lt.-Col. J. Smyth, M.D., I.M.S., Senior Surgeon and Sanitary Commissioner in Mysore.	1	Do	
37	The Revd. A. Basle, Vicar-General for the Catholic Bishop of Mysore.	1	Do	
38	Messrs. E. V. Paget, G. C. Walker and W. E. Tomlinson, Chairman and Secretaries of the Bangalore Missionary Conference.	3	Do	

APPENDIX A—*contd.*

Serial No.	Petitioners		Whether for or against the Draft Regulation	Remarks
	Description	No. of signatures		
39	The Rev. P. V. Roberts, Secretary to the Bangalore District Conference, Methodist Episcopal Church.	1	For.	
40	Mr. M. Mallaradhya, First Grade Pleader, Mysore	1	Do	
41	The Hindu and Mahomedan inhabitants of Kalale, Nanjangud Taluk.	25	Against.	
42	Do Turuvanur, Chitaldrug Taluk.	47	Do	
43	Do Narvay Agrahara, Koppa Taluk.	15	Do	
44	Do Gargeswari, T.-Narsipur Taluk	31	Do	
45	Do Anantapura, Sagar Taluk.	79	Do	
46	Do Nidagatta and Tippur, etc., of Mandya Taluk	126	Do	
47	Do Yedahalli, Kadur District.	83	Do	
48	Do Mirle, Yedatore Taluk	15	Do	
49	Do Mysore ...	1,698	Do	
50	Do Kadaba, Gubbi Taluk	94	Do	
51	Do Sivasamudram ...	13	Do	
52	Do Ganjam, Seringapatam Taluk.	259	Do	
53	Do Kalenahalli, Arkalgud Taluk.	18	Do	
54	Do Holavanahalli, Kortagere Sub-Taluk.	198	Do	
55	Do Gandasi, Arsikere Taluk.	44	Do	
56	Do Belur, Hassan District	151	Do	
57	Do Bikkodu hobli, Belur Taluk.	124	Do	
58	Do Agara and Momballi, Yelandur Taluk.	216	Do	
59	Do Basavapatna, Arkalgud Taluk.	142	Do	
60	Do Nagasandra, Kunigal Taluk.	56	Do	
61	Do Tavarekere, etc., villages, Channagiri Taluk.	187	Do	
62	Do Mandya ...	110	Do	
63	Do Goruru, Hassan Taluk	53	Do	
64	Do Sakrepatna, Kadur Taluk.	185	Do	
65	Do Nettur, Hassan Taluk	107	Do	
66	Do Lingadahalli, Tarikere Taluk.	36	Do	
67	Do Yaladuru, Srinivaspur Taluk.	95	Do	
68	Do Alur Sub-Taluk, Hassan District.	216	Do	
69	Do Kadur, & Kadur Taluk	124	Do	
70	Do Balagar etc., villages, Tirthahalli Taluk.	160	Do	
71	Do Chikballapur ...	231	Do	

erial No	Petitioners		Whether for or against the Draft Regulation	Remarks
	Description	No. of signatures		
72	The Hindu and Mahomedan inhabitants of Peresandra, Chikballapur Taluk.	44	Against	
73	Do Kohallipete, Shimoga Taluk	37	Do	
74	Do Haradanahalli, Chamrajanagar Taluk	82	Do	
75	Do Soraba, Shimoga District.	65	Do	
76	Do Vadigenahalli, Devanhalli Taluk.	235	Do	
77	Do Bannur, T.-Narsipur Taluk.	255	Do	
78	Do Kyatanahalli, etc., villages of French Rocks Sub-Taluk.	175	Do	
79	Do Settikere, Chiknayakanhalli Taluk.	80	Do	
80	Do Kalayur Agrahara, T.-Narsipur Taluk.	43	Do	
81	Do Gundlupet ...	197	Do	
82	Do Hosur, etc., villages of Gundlupet Taluk.	108	Do	
83	Do Budikote, Bowringpet Taluk.	60	Do	
84	Do Grama, Hassan Taluk	260	Do	
85	Do Kibbanahalli, Tiptur Taluk.	36	Do	
86	Do Nagar, Nagar Taluk	123	Do	
87	Do Madehalli ...	35	Do	
88	Do Biligere, Tiptur Taluk	34	Do	
89	Do Rajagatta, Dodballapur Taluk.	21	Do	
90	Do Lakkur, Malur Taluk	93	Do	
91	Do Belakavadi Jaghir, Malvalli Taluk.	84	Do	
92	Do Molakalmuru	156	Do	
93	Do Makanakoppal, French Rocks Sub-Taluk.	34	Do	
94	Do Kollegal, Coimbatore District.	148	Do	
95	Do Kandavara, Chikballapur Taluk.	32	Do	
96	Do Bharamasagara, Chitaldrug Taluk.	139	Do	
97	Do Kandikere, Chiknayakanhalli Taluk.	111	Do	
98	Do Megaravalli, Tirthahalli Taluk.	33	Do	
99	Do Sira, Tumkur District	80	Do	
100	Do Doddabanavar, Arsikere Taluk.	94	Do	
101	Do Hirisave, Channarayapatna Taluk.	300	Do	
102	Do Cherakanambi, Gundlupet Taluk.	54	Do	
103	Do Shivane, Tarikere Taluk.	37	Do	

APPENDIX A—*contd.*

Serial No.	Petitioners		Whether for or against the Draft Regulation	Remarks
	Description	No. of signatures		
104	The Hindu and Mahomedan inhabitants of Hodiggere, Channagiri Taluk.	33	Against.	
105	Do Naganghatta, Krishnarajpet Taluk.	37	Do	
106	Do Holehonnuru, Shimoga Taluk.	90	Do	
107	Do Ponnathpura, Hassan Taluk	106	Do	
108	Do Kadanuru, Dodballapur Taluk.	40	Do	
109	Do Maradihalli, Hiriyur Taluk.	35	Do	
110	Do Halenahalli and Kadavagere, Sira Taluk.	60	Do	
111	Do Basettihalli etc., villages, Sidlaghatta Taluk.	43	Do	
112	Do Burudagunte, Sidlaghatta Taluk.	38	Do	
113	Do Tarikere ...	289	Do	
114	Do Anavatti, Sorab Taluk.	26	Do	
115	Do Kuthuru, Magadi Taluk.	100	Do	
116	Do Sulibele, Hoskote Taluk	31	Do	
117	Do Bherya, Yedatore Taluk	69	Do	
118	Do Mandikallu, Chikballapur Taluk.	73	Do	
119	Do Begur, Hosdurga Taluk	62	Do	
120	Do Yerukalve, Addagal and Rayalpadu Hoblis of Srinivaspur Taluk	160	Do	
121	Do Muganayakanakote, Gubbi Taluk.	69	Do	
122	Do Hanasoge, Yedatore Taluk.	53	Do	
123	Do Yedahalli, Kadur District.	71	Do	
124	Do Javanagondanahalli, Hiriyur Taluk.	22	Do	
125	Do Ichanuru, Tiptur Taluk	96	Do	
126	Do Kamenahalli, etc., villages of Hassan and Belur Taluks.	95	Do	
127	Do Jolthalu, Chikmagalur Taluk.	37	Do	
128	Do Araga, Tirthahalli Taluk.	74	Do	
129	Do Kanambadi, Krishnarajpete Taluk.	62	Do	
130	Do Tippasandra, Magadi Taluk.	140	Do	
131	Do Kerlapura, Arkalgud Taluk.	63	Do	
132	Do Humchadakatte, Shimoga District.	59	Do	
133	Do Bailahalli, etc., villages of Hassan Taluk.	98	Do	

Serial No.	Petitioners		Whether for or against the Draft Regulation	Remarks
	Description	No. of signatures		
134	The Hindu and Mahomedan inhabitants of Chitaldrug.	9		
135	Do Halkurike, Tiptur Taluk	134	Do	
136	Do Santebennur, Channagiri Taluk.	151	Do	
137	Do Idaguru, Goribidnur Taluk.	34	Do	
138	Do Amale and other villages of Manjarabad Taluk.	510	Do	
139	Do Bukanakere, Krishnarajpete Taluk.	219	Do	
140	Do Sosale & Chidaravalli villages of T.-Narsipur Taluk.	459	Do	
141	Do Devarayasamudra, Kolar District.	172	Do	
142	Do Bukkasagara and Brahmasamudra villages of Kadur Taluk.	35	Do	
143	Do Saligrama, Yedatore Taluk.	136	Do	
144	Do Huliyar, Tumkur District.	257	Do	
145	Do Kigga, Koppa Taluk.	70	Do	
146	Do Gulur, Tumkur Taluk	109	Do	
147	Do Maduvanahalli, Kollegal Taluk.	65	Do	
148	Do Devanur, etc., villages of Kadur Taluk.	171	Do	
149	Do Mudgere ...	161	Do	
150	Do Yadiyuru, Kunigal Taluk.	27	Do	
151	Do Vidyaranyapura, Sringeri.	27	Do	
152	Do Sringeri ..	129	Do	
153	Do Baguru, Hosdurga Taluk.	31	Do	
154	Do Haravu, French Rocks Sub-Taluk.	35	Do	
155	Do Kenkere, Chiknayakanhalli Taluk.	84	Do	
156	Do Mittepuri Bagepalli Taluk.	98	Do	
157	Do Kadabanakatte, Chitaldrug Taluk.	54	Do	
158	Do T. Narsipur ...	30	Do	
159	Do Ganjigunte, Sidlaghatta Taluk.	30	Do	
160	Do Arakere, Arsikere Taluk.	9	Do	
161	Do Chamrajnagar	25	Do	
162	Do Melkote, French Rocks Sub-Taluk.	103	Do	
163	Do Venkatayyanachattra, Chamrajnagar Taluk.	56	Do	

APPENDIX A—*contd.*

Serial No.	Petitioners		Whether for or against the Draft Regulation	Remarks
	Description	No. of signatures		
164	The Hindu and Mahomedan inhabitants of Nuggehalli, Channarayapatna Taluk.	129	Against.	
165	Do Rampura, Molakalmuru Taluk.	72	Do	
166	Do Kukkuru ...	27	Do	
167	Do Kodihalli, Kankanhalli Taluk.	82	Do	
168	Do Banuvalli, Chitaldrug District.	99	Do	
169	Do Sivaganga, Nelamangala Taluk.	39	Do	
170	Do Shimoga ...	353	Do	
171	Do Harohalli, Kankanhalli Taluk.	149	Do	
172	Do Holasalu, T.-Narsipur Taluk.	25	Do	
173	Do Malebennur, Harihar Sub-Taluk.	101	Do	
174	Do Talakad ...	95	Do	
175	Do Bowringpet ...	286	Do	
176	Do Nandi, Chikballapur Taluk.	92	Do	
177	Do Kunigal ...	356	Do	
178	Do Mallipatna, Arkalgud Taluk.	67	Do	
179	Do Ajjampura, Tarikere Taluk.	65	Do	
180	Do Mayasandra, Turuvekere Sub-Taluk.	67	Do	
181	Do Madamangala, Bowringpet Taluk.	102	Do	
182	Do Sulikunte, Bowringpet Taluk.	63	Do	
183	Do Belavadi ...	76	Do	
184	Do Srinivasapur, Kolar District.	473	Do	
185	Do Chikmagalur ...	106	Do	
186	Do Yelahanka ...	172	Do	
187	Do Kudamallige, Tirthahalli Taluk.	90	Do	
188	Do Taruru, Sira Taluk...	74	Do	
189	Do Hebburu, Tumkur Taluk.	242	Do	
190	Do Hanabe, Dodballapur Taluk.	64	Do	
191	Do Hulikallu, Arkalgud Taluk.	11	Do	
192	Do Agara, Mulbagal Taluk.	41	Do	
193	Do Dobbspet and Lakkur	36	Do	
194	Do Vemagallu, Kolar Taluk	111	Do	
195	Do Kumsi ...	44	Do	
196	Do Nittur, Gubbi Taluk	32	Do	
197	Do Kora, Tumkur Taluk	109	Do	
198	Do Hassan ...	157	Do	

Serial No.	Petitioners	
	Description	No. of signatures
199	The Hindu and Mahomedan inhabitants of Doddakuragodu, Goribidnur Taluk.	25
200	Do Haranahalli, Hunsur Taluk.	32
201	Do Hulikallu, Magadi Taluk.	27
202	Do Nagarangere, Challakere Taluk.	21
203	Do Kottagere, Kunigal Taluk.	28
204	Do Seringapatam ...	161
205	Do Heggaddevanakote ...	39
206	Do Masti village, Malur Taluk.	34
207	Do Kalkunte Agrahara, Hoskote Taluk.	56
208	Do Kuduvalli jodi, Chikmagalur Taluk.	86
209	Do Konanuru, Arkalgud Taluk.	63
210	Do Bangalore District ...	1,148
211	Do Koppa, Koppa Taluk.	24
212	Do Kottagala ...	29
213	Do Kyatasandra ...	91
214	Do Bettahalli village, Talkad Hobli.	86
215	Do Bukkambudhi, Tarikere Taluk.	35
216	Do Rudrapatna, Arkalgud Taluk.	106
217	Do Vastare Hobli, Chikmagalur Taluk.	142
218	Do Hiriyur, Chitaldrug District.	56
219	Do Nilattahalli, Kunigal Taluk.	33
220	Do Mandagadde ...	25
221	Do Chiluru, Honnali Taluk.	61
222	Do Goribidnur ...	90
223	Do Dodderi, Chiluru Hobli.	24
224	Do Kallambella, Sira Taluk.	50
225	Do Mysore Fort ...	54
226	Do Betamangala, Bowringpet Taluk.	130
227	Do Kasaravalli, Tirthahalli Taluk.	72
228	Do Melkote ...	36
229	Do Basavanahalli, Chikmagalur Town.	38
230	Do Akkihebbalu, Krishnarajpete Taluk.	267
231	Do Talya and Malasinganahalli village, Holalkere Taluk.	92

APPENDIX A—*contd.*

Serial No.	Petitioners		Whether for or against the Draft Regulation	Remark
	Description	No. of signatures		
232	The Hindu and Mahomedan inhabitants of Maddagiri.	32	Against.	
233	Do Kankanhalli ...	167	Do	
234	Do Hirebailu, Mudgere Taluk.	50	Do	
235	Do Hirimagalur ...	82	Do	
236	Do Tavaragere, Sira Taluk.	42	Do	
237	Do Mayikonda, Davangere Taluk.	64	Do	
238	Do Ramnathpur ...	88	Do	
239	Do Kenchammana Hoskote ...	31	Do	
240	Do Kagalvadi, Chamrajnagar Taluk ...	33	Do	
241	Do Arudi Jodi, Dodballapur Taluk.	90	Do	
242	Do Arsikere, Arsikere Taluk.	65	Do	
243	Do Magadi ...	110	Do	
244	Do Tirumalai village, Magadi Taluk.	74	Do	
245	Do Ummatturu, Chamrajnagar Taluk.	100	Do	
246	Do Ramagiri Holalkere Taluk.	32	Do	
247	Do Dandinasivara, Gubbi Taluk.	31	Do	
248	Do Belluru, Nagamangala Taluk.	57	Do	
249	Do Chikkadaganahalli, Hunsur Taluk.	47	Do	
250	Do Challakere, Chitaldrug District.	180	Do	
251	Do Shikarpur, Shimoga District.	270	Do	
252	Do Mattigodu Jodi Arkalgud Taluk.	22	Do	
253	Do Bindiganavale, Nagamangala Taluk.	37	Do	
254	Do Sidlaghatta, Kolar District.	40	Do	
255	Do Sagar, Shimoga District	145	Do	
256	Do Kikkeri and other villages of Krishnarajpete Taluk.	824	Do	
257	Do Manchanahalli, Yedatore Taluk.	50	Do	
258	Do Honganur, Chamrajnagar Taluk.	27	Do	
259	Do Haranahalli, Arsikere Taluk.	119	Do	
260	Do Jotigandanapura, Chamrajnagar Taluk.	32	Do	
261	Do Amrutur, Kunigal Taluk.	265	Do	
262	Do Yedatore ...	263	Do	

Serial No.	Petitions		Whether for or against the Draft Regulation	Remarks
	Description	No. of signatures		
263	The Hindu and Mahomedan inhabitants of Malvalli	257	Against.	
264	Do Periyapatna, Hunsur Taluk.	87	Do	
265	Do Kesturu, Mandya Taluk	87	Do	
266	Do Channagiri, Shimoga District.	104	Do	
267	Do Maluru, Channapatna Taluk.	262	Do	
268	Do Hole-Narsipur, Hassan District.	206	Do	
269	Do Tubigere, Dodballapur Taluk.	40	Do	
270	Do Honnali, Shimoga District.	137	Do	
271	Do Paduvalapatna Nagamangala Taluk.	88	Do	
272	Do Danayakanapura, Belur Taluk.	62	Do	
273	Do Tumkur Town ...	146	Do	
274	Do Mysore	117	Do	
275	Do Kolar Town ...	424	Do	
276	Do Yagati, Kadur Taluk.	70	Do	
277	Do Arkalgud ...	121	Do	
278	Do Gundluhalli, Goribidnur Taluk.	25	Do	
279	Do Hunsur Town ...	87	Do	
280	Do Gubbi	54	Do	
281	Do Sondakoppa ...	69	Do	
282	Do Mysore and T.-Narsipur	387	Do	
283	Do Bagur, Channarayapatna Taluk.	141	Do	
284	Do Ukkalageri, T.-Narsipur Taluk.	42	Do	
285	Do Kamagare, Kollegal Taluk.	19	Do	
286	Do Turuvekere ...	142	Do	
287	Do Nelamangala ...	55	Do	
288	Do Bettadapura, Hunsur Taluk.	124	Do	
289	Do Periapatna, Hunsur, Taluk.	104	Do	
290	Do Budihal village, Hosdurga Taluk.	55	Do	
291	Do Mysore Town ...	1	Do	
292	Do Manjarabad Taluk ...	52	Do	
293	Do Balur Hobli, Mudgere Taluk.	14	Do	
294	Do Saragur, Heggaddevankote Taluk.	100	Do	
295	Do Balur Hobli, Mudgere Taluk.	18	Do	
296	Do Hagalvadi, Gubbi Taluk.	53	Do	
297	Do Yelandur ...	79	Do	
298	Do Channapatna ...	25	Do	
299	Do Gargesvari, T.-Narsipur Taluk.	100	Do	

APPENDIX A—*contd.*

Serial No.	Petitions		Whether for or against the Draft Regulation	Remarks
	Description	No. of signatures		
300	The Hindu and Mahomedan inhabitants of Jangamkote, Sidlaghatta Tk.	54	Against.	
301	Do Belavadi, Arkalgud Taluk.	50	Do	
302	Do Konandur village ...	29	Do	
303	Do Santhamaranahalli, Chamrajnagar Taluk.	32	Do	
304	Do Chamrajnagar ...	81	Do	
305	Do Lakshmipura, etc. Challakere Taluk.	160	Do	
306	Do T.-Narsipur ...	88	Do	
307	Do Maraga village ...	28	Do	
308	Do Triplicane, Madras ...	44	Do	
309	Do Cuddapah ...	1	Do	
310	Do Bangalore City ...	3	Do	
311	Do Lucknow and other towns of Northern India.	44	Do	
312	Do Bangalore City ...	19	Do	
313	Do Bangalore ...	3	Do	
314	Do Kheri, Northern India.	3	Do	
315	Do Sithapur, Oudh ...	10	Do	
316	Do Fyzabad, etc., Oudh...	9	Do	
317	Do Tumkur Taluk ...	374	Do	
318	Do Bukkambudhi, Tarikere Taluk.	1	Do	
319	Do Chairman of the Sri-Sanatana Arya Dharma Tatvaprasaraka Mandali, Pandarapur.	1	Do	
320	The Secretary, Sub-Committee of the meeting of the inhabitants of Mysore.	1	Do	
321	The inhabitants of Honnavalli, Tiptur Taluk ...	156	Do	
322	The inhabitants of the Tumkur Taluk ...	55	Do	
323	Do Channapatna	71	Do	
324	Mr. S. R. Balakrishna Rao, B.A., LL.B., Shimoga	1	Do	
325	The inhabitants of the Tiptur Taluk ...	615	Do	
326	Do Sakrepatna, Kadur Taluk ...	84	Do	
327	Do Yedahalli	267	Do	
328	Mr. Ramasastri for the inhabitants of Srirampet, Mysore City.	1	Do	
329	The inhabitants of Madikehalli, Kunigal Taluk ...	62	Do	
330	Do Rayagonahalli, Kunigal Taluk...	44	Do	
331	The inhabitants of Devanhalli Taluk ...	185	Do	
332	Mr. Srinivasa Jois, Palace, Mysore	1	Do	
333	The inhabitants of Closepet	102	Do	
334	Do Nanjangud	62	Do	
335	Do Bagepalli Taluk ...	157	Do	
336	Do Heragu village, Hassan Taluk	56	Do	
337	Mr. S. Narasimmaiya on behalf of the inhabitants of Nanjangud.	1	Do	
338	The inhabitants of Channapatna	235	Do	
339	Mr. Srinivasa Jois, Palace, Mysore	1	Do	
340	The inhabitants of Mysore	88	Do	
341	The President, Aryabala Samaj, Kolar ...	1	Do	
342	Mr. Rangasami Chetty, Shop-keeper, Mysore ...	1	Do	
343	Sri Yadugiri Yathiraja Narayana Ramanuja Jeeyar	1	Do	

APPENDIX A—*concld.*

Serial No.	Petitioners		Whether for or against the Draft Regulation
	Description	No. of signatures	
344	Mr. M. Ramachar, Secretary of a public meeting of the citizens of Kolar.	1	Against.
345	The inhabitants of the Bangalore City ...	65	Do
346	The disciples of the Sri Swami of Sivaganga ...	...	Do
347	The inhabitants of the Bangalore City ...	147	Do
348	Do do	267	Do
349	Do do	185	Do
350	The inhabitants of Mysore	35	Do
351	Mr. N. S. Nanjundiah on behalf of the members of the Sanmargapravartaka Sangha of Bangalore.	...	Do
352	Mr. Subba Narasimhiah on behalf of the Srishankarananda Sabha, Mysore.	...	Do
353	The inhabitants of Gubbi	120	Do
354	Mr. Mandikal Ramasastry, Chairman of the meeting of the residents of Sivarampet, Mysore.	...	Do
355	The inhabitants of Sargur	17	Do
356	Do Chamrajnagar	27	Do
357	Do Nanjangud Taluk ...	56	Do
358	The Secretary of the Yadugirisadanandavardhini Sabha of Melkote on behalf of the members of the Association.	...	Do
359	Mr. Lakshminarasimha Sastri, Vice-President of a meeting of the people of Sivarampet, Mysore.	...	Do
360	Mr. Krishnappa, Krishnaraj Mohalla, Mysore ...	1	Do
361	Mr. A. Narasimha Iyengar, Secretary of the meeting of the people of Sagar.	...	Do
362	The inhabitants of the Bangalore City ...	1,093	Do
363	Mr. Shama Rao, for Agent, Sri Sringeri Matt ...	1	Do
364	Mr. M. Venkatakrishnaiya forwarding proceedings of a public meeting held in the Rangacharlu Memorial Hall in Mysore.	1	Do
365	Mr. H. R. Srinivasa Rao, Chairman, of a meeting held by the inhabitants of Hassan to protest against the proposed legislation.	1	Do
366	Mr. Chinniah Chetty, Chairman of the meeting held by the inhabitants of Arsikere to protest against the proposed legislation.	1	Do
367	Sahukar Rayappa, on behalf of the inhabitants of Yedahalli.	1	Do
368	Mr. P. Bheema Rao, retired Amildar, forwarding copy of the proceedings of a meeting held by the inhabitants of Chitaldrug.	1	Do
369	Mr. K. Rama Rao, Honorary Secretary, Nagar Sabha, on behalf of the inhabitants of Shimoga.	1	Do
370	Mr. Ramchandra Bhikajee, on behalf of the members of the Hindu community of Hyderabad.	1	Do
371	Mr. Raghunathachar, forwarding copy of the proceedings of a meeting held by the inhabitants of Belur.	1	Do
372	The inhabitants (Hindus and Mahomedans) of Davangere.	56	Do
373	The inhabitants of Bhor...	11	Do
374	Mr. V. Sriram Sastri, Hyderabad	1	Do
375	Mr. Venkatakrishnaiya, on behalf of the members of the Representative Assembly.	160	Do

APPENDIX B.

I.

Table showing the arguments advanced by petitioners against the Draft Regulation.

Against the Regulation in toto.

Because—

1. There is no crying need for the proposed legislation.
2. The proposed legislation is aimed at benefiting a very small fraction of the total population of the State actually converted to Christianity, the change of religion being on account of ignorance or poverty.
3. The wife, children, parents and dependants of one who renounces his religion and adopts another, are reduced to great distress if one is allowed to take away a portion of the family property and use the same for purposes other than those of the joint family.
4. The passing of Act XXI of 1850 by the East India Company, created a feeling of disaffection and led to the outbreak of the Great Indian Mutiny, which resulted in the transfer of the administration of the country from the Company to the Crown.
5. Hindu Shastras do not recognise the claims of renegades to patrimony.
6. It is stated in our Shastras that the right to property depends on the competency of the person to perform certain rites and ceremonies prescribed therein.
7. The proposed legislation is opposed to the dictates of Manusmriti, Yagnavalkya smriti, Parasarasmriti, Bodhayanasutra, Apastambhasutra, the "Mahomedan Law" of Amir Ali and Macnaughton, Alangiri, Hidhiyamodal Moktar and also to Koran, the Holy Scripture of the Mahomedans.
8. Even in England there is a rule that only Protestant Christians should become Kings. This law is more or less similar to the one in our Shastras which lays down that only those who can offer *Pinda*, etc., to their dead ancestors should inherit the property. As the present Regulation, if passed, is likely to invalidate this law, it must not be passed.
9. The passing of the Regulation is likely to transfer the possession and enjoyment of such charitable endowments as Bhatamanya, etc., to non-Hindus, to whom it was never intended by the donors.
10. A convert claims an equal share in the property of a father, but does not share in the expenditure incurred on his (father's) funeral and other ceremonies.
11. When LeMesurier became a convert to Islamism, he was very properly denied all patrimony, and when Mrs. Annie Besant claimed guardianship over her children it was denied her by Christians. The principle which led to the above decisions should be strictly adhered to.
12. When a person is to be converted to Christianity, he is baptised, and the ceremony signifies that the individual is re-born. When this is the case, he cannot reasonably lay claim to the property of the person who merely gave him his physical birth.
13. When a convert dies intestate and leaves no legal heirs among those of his new religion, his property does not go to his father or cousins who still continue in their former religion.
14. It has been repeatedly stated by Law Courts in British India and even by the Privy Council in England, that they will not interfere with the existing laws when they are based on religion or custom.
15. That the introduction of the Act XXI of 1850 with or without modification is undesirable as it affects vitally the religious and the social condition of the Hindu, Jain and the Mahomedan communities in the State; it is imperfect in every way; has been superseded by the Queen's Proclamation; its introduction into the State has been negatived by the Secretary of State for India.
16. In 1899, during the minority of His Highness the Maharaja of Mysore, Her Highness the Maharani Regent declared that she was not in favour of the introduction of any legislation of the kind now in question.
17. It is undesirable that in a first class Native State like Mysore such a law should be passed, seeing that even in British India all innovations tending to a change in the religious and social customs of the people are avoided.
18. To give an apostate a share in the property as also custody of his wife and children is against the principles of Hindu religion.

19. The introduction of the Act is unnecessary and unwarranted as it deals a substantial blow to the rules and customs of Hindu society and even to pure Hindu Law as interpreted by Shruties and Smrities.

20. That the proposed measure would deal a death blow to the already invalid and paralysed Hindu religion.

21. The Act should not be introduced as the converts are not entitled to succeed because of their total unworthiness to do the duties enjoined by the Shruties and Smrities.

II.

Table showing the arguments advanced by Petitioners for the introduction of the Regulation.

For the Regulation in toto.

Because—

1. It removes the disabilities which converts to Christianity now suffer.
2. It conceeds perfect freedom and liberty of conscience to all subjects alike.
3. It enables persons who on conscientious grounds change their religious beliefs, to do so without sacrificing any of their civil rights or becoming exposed to any social opprobrium, while affording every protection to the other members of the family, who continue in their old religion.
4. It is inexpedient to have different laws in a matter of such vital importance, since the constant stream of migration leading to frequent change of subjects between the Mysore State and British India, leads to the anomaly of the same question having to be differently decided, even in the case of the same individual, according to the place where the decision is given.
5. The passing of this Regulation facilitates the conversion of the lowest class of the Hindus to other religions, and thus raises their social status, which, while in their own caste, they are denied.
6. It helps to relax the rigidity and severity of the caste system and eradicates its prejudices and superstitions.

III.

Table showing the modifications proposed by the Petitioners in the Draft Regulation.

Modifications in the proposed Legislation

1. Provision should be made for securing rights of guardianship to those who have renounced any religion or been deprived of caste.
2. It should be clearly stated how the property of a person, who, being a Hindu householder, becomes a Christian, marrying a Christian woman and begetting children by her, at last dying a Mahomedan leaving behind many children by a third Mahomedan wife, should be divided.
3. The exact meaning and force of the expression "Personal rights" in the Draft Regulation is not clear, and is capable of being extended to anything. It is therefore requested that the meaning of the expression be clearly explained.

APPENDIX C.

SUBJECT No. 1 OF THE SUBJECTS DISCUSSED BEFORE THE MYSORE REPRESENTATIVE ASSEMBLY OF 1906.

LEGISLATION.

Converts' Disabilities Removal Regulation.

Summary of discussion.—Mr. C. Srinivasa Rao said that there was no necessity for such a Regulation, and that neither the Government nor the public had any statistics as to the number of conversions from Hinduism and Mahomedanism to Christianity or from Hinduism to Mahomedanism. He pointed out that a population of only 30,000 out of 5½ millions would profit by this new Regulation. If this Regulation were passed, it would give great facilities for the missionaries to convert ignorant people to Christianity As it is, they are being allowed to work quietly, although they spread all sorts of mischievous pamphlets about Hinduism. If this Regulation were passed, the ignorant masses would misunderstand its objects, and their passions would be roused.

Mr. C. Subba Rao observed that the man who leaves one religion for another in the hope of getting salvation should not care about property. He also said that Roman Catholics were against this Regulation. (It was pointed out to him that it was not so.) This Regulation, if passed, would subvert the principles of Hindu Law, under which inheritance is by birth and the law of survivorship. If a Hindu has two sons, one an ascetic and another a convert to Christianity, the whole of his property would, under the new Regulation, go to the convert son to the exclusion of the son who remains a Hindu ascetic.

Mr. Balakrishna Rao submitted that social and religious laws were intertwined, and that interference with social laws would mean interference with religious laws. A law should be for the greatest benefit of the greatest number. Since 1872 there had been only two cases in which any hardship under the existing law was brought to notice. Society is composed of so many units. If one is strengthened at the expense of the other, it would mean weakness to the whole body.

Mr. Ramanna said that under the Hindu Law the right to inherit was dependent on the obligation to perform funeral ceremonies. If a man refused to perform his part of the implied contract, he could not claim the inheritance. Such a law would be directly opposed to the Queen's Proclamation of 1858.

Mr. Raghavachar pointed out that the British Indian Act of 1850 was passed under the East India Company and before the Queen's Proclamation of 1858 and without ascertaining public opinion. He also referred to the principle of Hindu Law under which the right to inherit went with the right to offer *pinda* to the manes of the ancestors. If the new law was passed, a convert son would claim a share in the family idols and images, and perhaps be eating meat and doing other objectionable things in one part of the house while in another the other members were engaged in religious worship.

Mr. Venkatakrishnaiya said that in all countries converts were not given what were theoretically called their natural rights, and made reference to the case of Mr. LeMesurier who was removed from the Government service, and to that of Mrs. Annie Besant to whom the English Courts refused the right of guardianship over her children.

Messrs. Hassan Ali Beg, Turuvekere Naranappa, Hanumanta Rao, Anniah Pandit and Gorur Srinivasa Murti also spoke briefly against the Regulation.

Mr. Ramanna added that Her Highness the late Regent had given her opinion against the measure.

Reply of Government.—All the objections urged will be considered. Objections as to the details of the Draft Regulation need not be pressed, as in several cases they might perhaps be easily met. The main point is that the general sentiment of the Assembly is distinctly against the passing of the proposed measure; and this will be duly noted.

Sir,

With ~~reference to the Dis~~abilities ~~of~~ Christian Converts in Mysore. I have the honour to forward a resolution, which was unanimously passed in the General Synod of Wesleyan Missionaries just held in Madras.

"Resolved that this Synod, comprising elected representatives from
"all the Wesleyan Missions in India, Burmah and Ceylon having heard
"that the Government of Mysore have referred the question of the
"Disabilities of Native Converts to Christianity in Mysore to a
"select Committee for consideration and report, desire to convey
"their appreciation of the action taken, and to express the hope
"that on receipt of the Committee's report, they will see their
~~"way to the early removal of the disabilities~~

I have the honour to be,

Sir,

Your most obedient servant,

D. A. Rees

eral Supt of Wesleyan Missions in Mysore

Orders

J 2510 18 dt 3/3/08
Legis

The proposed legislation for the removal of disabilities of Native Christian converts in Mysore has engaged the attention of Government for the past some years, but the divergent interests of the Communities affected have not enabled the Government to arrive at a speedy decision. It is now deemed desirable that the whole question should be well threshed out by a Committee consisting of representative members and that at all is necessary and if so, whether the British Indian act as it is, or with modifications, or whether the proposed Mysore Regulation with or without modifications may be adopted. The Govt of H. H: the Maharaja are accordingly pleased to appoint a Committee consisting of the following gentlemen —

1 ~~Mr.~~ J. ~~H~~ E. Staley Esq (Chairman) Chief Judge
2 Dewan Bahadur Mr. T. Subramanyam, Barrister-at-law, Madras,
3 Mr A. Rangaswamy Iyengar, Judge, Chief Court,
4. Mr. K. P. Puttanna Chetty, Dy. Commr, Kolar.
5. Mr. Annaswamy Mudaliar, Rao Bahadur, C & M Station
6. Khan Bahadur Mr. Abdul Rahiman
7. Mr. M. S. Narain Rao. —

The Committee will have power to examine any persons whom they consider interested in the question and record their statements

The Govt hope that

the Committee will be able to finish their labours ~~early~~ and furnish their report early

28/2/1905

Secretary

111 o
[illegible]/05

Sir,

With reference to the Proceedings of Government No. of $\frac{2510^{+}-2518}{\text{Legis}}$ dated the 3rd Instant, re proposed legislation for the removal of disabilities of native Christian Converts in Mysore I am directed to state for the information of Government that a meeting of all the members was held on the 30th. Instant and proposals on all for legislation have been discussed. As the members have asked time for further consideration, the 17th June 1905 has been fixed within which date they will be asked to send in any further suggestion or amendment to the proposed legislation and on receipt of the Suggestions another meeting will be convened, if necessar.

I have the honor to be,

Sir,

your most obedient Servant;

Registrar

Letter No. $\frac{5346}{386}$ dated the 8th March 1905, from the Registrar f the Chief Court of Mysore, tating with reference to G. Procs o. $\frac{2510-78}{\text{Legis}}$ dated the 3rd March 1905 ~~[illegible]~~ that a meeting of all the embers of the Committee

~~ORDER THEREON No.~~

ppointed for the ~~[illegible]~~ consideration of the necessi gislation for the removal of sabilities of ~~the~~ Native Christian nverts in Mysore was held on e 30th idem, when proposals all points necessary for gislation were discussed that as the members wanted time for further consideration the 17th of June 1905 has been fixed as the latest date for their sending up any further suggestion or amendment to the proposed legislation and that ~~at~~ on receipt thereof another meeting will be convened, if necessary

Rdg Mem:- J 2 9 -/ Legis 25

Recorded
1/[illegible]/05

1/9x/05
Secretary

To
The Registrar of the Chief
Court of Mysore

NC SII 8/4/05
7/[illegible]

Copied Lig. 15/4/05
Examined. SII 15/4/05

T. K. Venkata Varada Iyengar Esq

Secretary

[illegible] & General Departments

Bangalore

Sir — Letter from Mr M. Venkata Krishnaiya Mysore D. 16.4.05

I have the honor to send herewith a copy of the proceedings of a public meeting of the Citizens of Mysore held in the Rangacharlu Memorial Hall on the 7th Inst.

Thereof I beg that y– will
Kindly place the proceedings befor
the Government officlly for
y Kind consideration and
'r such tion as the Gov
may deem necessary

Justice A. S. Staley Esq., ICS
Bar. at Law

Chairman of the Committee appointed for the consideration for the necessity for legislation for the removal of disabilities of native Christian converts in Mysore.

OFFICE OF THE PRIVATE SECRETARY TO
H. H. THE MAHARAJA OF MYSORE.

Dated Ootacamund, 19th April 1905

Letter dated 16th April 1905 from Mr. Venkatakrishnayya Chairman of the Public meeting held in Mysore on the 7th Inst. is forwarded with compliments to the Dewan of Mysore, Bangalore, with the request that the receipt of the report of Proceedings may be acknowledged.

By Order,
E. Maconochie
I.C.S.

P.No.1811 Dated 19-4-05

DATE 26.4.05
NO. [illegible]78

Sir

I have the honor to send herewith a copy of the proceedings of a public meeting of the Citizens of Mysore held in the Rangacharlu Memorial Hall on the 7th Inst, as desired in the Second Resolution thereof

A MEETING OF THE CITIZENS OF MYSORE

A public meeting of the citizens of Mysore was held in the Rangacharlu Memorial Hall on Friday, the 7th instant at 5-30 p. m. It was a very representative gathering. Almost all the influential men and representatives of the various communities in Mysore, were present. All the Mutts were represented. The Pundits and Moulvies formed the chief complement of the meeting. There were a large number of gentlemen who had received Western culture besides Merchants, Sowcars and Municipal Commissioners. Among those who were present were:—Messrs Amble Anniah Pundit, Pundita Ratnam Kasturi Rangachar, Pundit Sreecanta Sastry, Ramachandra Chatterjee, the disciple of the Sivagangey Swami, M. C. Ranga Iyengar, Advocate; Rama Jois, the President of the Smartha Sabha; A Govindacharlu, retired Executive Engineer; K. Chandrasekriah, Advocate; H. Krishna Rao, Advocate; A, Krishna Rao, Advocate; Madappa, Municipal Commissioner; A. Ramanna; Advocate, M. Narasimhaswami, Sowcar and Municipal Commissioner, Sowcar Banamiah, Sowcar Bajjanna; B. R. Krishmachar, Advocate; Sowcar Narasimhayya, Sowcar Chikkanna, Sowcar Mariayanna, M. C. Sreenivasa Iyengar Banker, Kavaripatnam Subray Chetty, Buduguuti Lakshmayya Setty, K. Bhima Rao, Pleader, M. Venkataramiah Pleader, B. V. Krishnamurti, Advocate, C. Nanjappr Pleader, A. Mahadeva Sastry, M Venkatarishnayya B. Mallappa, Jahagirdar Madappa, Mallaradhya Pleader; Sowcar Bezwada Mallappa, Pundit Narahari Jois, Pundit Narayan Sastry, Pundit Subramany Sastry, M. Lakshminaranappa, Sanjeeva Chetty, T. Nanjunda Sastry, Sowcar Venkataramanappa, Moulvi Darvesh Peer. Moulvi Sikandar Udin, Abba Shukur Sait, Moulvi Syed Shah, Abdul Aziz, Pesh Imam Moulvi, Mir Mahamod Hussan, Abul Muzaffar, Junu Sait, Moulvi Moulvi Mahomed Sikandar Udin, Moulvi Abul Mujaffar. Mir Mahomed Hussain, Moulvi Syed Shaha Abdul Aziz, Munsley Gulam Dastagir, Joonus Jamal Sait, Abba Abdul Shokoor Sait, Mahomad Ahamad Sait, Rahamathulla Ahamed Sait, Buddoo Sulamen Sait, Mukdoom Sharief Sabeb (Merchant), Salar Massood Saheb (Merchant), Mahomad Ibrahim Sait (Munshy) Syed Sakrudden Saheb Khathib, Syed Asuthulla Saheb, Syed Mohaddeen Sahib, Mahomed Hussain Sahib, Mohamed Yakoob Sahib (Pesh Imam), Haffis Sharief Sahib, Haffis Gulam Dastagiri Sahib, Bhukshy Mohamoodalli Khan Sahib, Gulam Gilamy Sahib (Kumandar), Mohamad Sadull Saheb (Kareshy), Hasham Alli Sha Sahib (Sisty), and many other gentlemen numbering in all nearly 1000 people. The conveners of the meeting took care to exclude students and several others. A larger number of Government servants were watching the proceedings with keen interest and with outbursts of sympathy at times.

When all had assembled, Mr Govinda Charlu proposed and Mr. A. Ramanna, and Junu Sait seconded that Mr. M. Venkatakrishnayya do take the chair. It was carried with acclamation.

Mr. M. Venkatakrishnayya after taking the chair, read the notice calling the meeting and said:—It has come to the notice of the public that an attempt is being made to introduce Act XXI of 1850 with certain modifications to the Mysore Province. The Mysore public think it their bounden duty to assemble in a meeting and consider how the provisions of the law will affect them. They are of opinion that if the law affects the social and religious condition injuriously, it, is our duty to most loyally and respectfully approach H H the Maharajah and his Government with such prayers as the Meeting may decide upon. The question is a delicate one. It claims a sober and careful consideration. I think that the glory of the Government of India is its Religious Neutrality. This is manifest in the Queen's Proclamation of 1858. I assure you that our loyal and respectful prayers communicated through the proper channel will be carefully considered by the Government of India and that full justice which would satisfy all rational people, will be extended to us. I now call upon the gentlemen that are present at the meeting to give us the benefit of their opinion in the matter;

Mr. K. Chendrasekhariah, B. A. B. L., in moving the first Resolution said:—

Gentlemen, you have read the notices convening the meeting and heard the Chairman's *speech* on the point. I am asked by the Chairman to move the first Resolution. In doing so, I submit to you that the Act or the modification of it sought to be introduced into this Province is Act XXI of 1850. From the very title of the Act, you will see that it is an Act introduced into British India in the year 1850. Nearly 55 years ago, during the time of the East India Company it was introduced precipitately at a time when public opinion in India was almost *nil.* The people were simply thunderstruck at the time. Eight years afterwards occured the Indian Mutiny which necessitated the issuing of the Gracious Proclamation of Her Majesty Queen Victoria which is the *Magna Charta* of India and which secured to the Hindus and Mahomedans of India *complete freedom* in matters of religion. In effect repealed the Act XXI of 1850. The entire Act consists of only one section with a short preamble. This Act XXI of 1850 and the Bengal Regulation of 1832 of which the former is a quantitative extention when properly construed, are intended to give the convert only general rights—rights based on what is called justice, equity and good conscience, but none of the rights or rights of property which are the peculiar creations of Hindu or Mahomedan Law *e. g.*, rights of copai cenery, joint-living, marriage rights over the children and minor wife &c., It is most loosel worded. Judges instead of interpreting it, fell into the error of making new laws out of it

The B[illegible]mbay H[illegible]gh Court in a certain case went to the absurd length of holding that a convert h[illegible] in Hindu adoption. The then Government was ig[illegible] could [illegible], therefore, think of the far reaching evil con s[illegible] I[illegible] when legislation [illegible] was unknown, when there was no L[illegible] C[illegible] [illegible] the disastrous effects of the Act on Hindus and t[illegible] leave to my [illegible] brethren its effects on them and their religion. Change o[illegible] r[illegible] transf[illegible] to another religion. It means a necessary change of per[illegible] which [illegible] change of personal rights. This is not only fair but also n[illegible] The Laws of inheritance, marriage and guardianship, like every other branch of [illegible] Law, depends on personal status, which, in its turn, follows one's religion. This has been [illegible] by the Privy Council. The Madras High Court held in a certain case that he Hindu wife of a Christian convert could not succeed to his separate estate, because, by conversion, he marriage was dissolved and with it the right of inheritance was also lost. Change of religion means in Hindu Law, *Civil death*.. The Hindu Law of inheritance is based on the capacity of the son to perform the *Shradha* and to offer *Pinda* to his *pitrus*. A son inherits the property of his father for this & for no other reason whatever. This fact becomes clearer still when fin[illegible] that under Hindu Law, the grandson becomes entitled to the estate of his grand-father, [illegible] a great-grand-son to that of his great grand-father. A man is expected to offer *pinda* to his ree immediate ancestors in direct line and that is the reason why he succeeds to those three. ~~leave it to our Shastris present here to night to quote to you the particular texts of Hindu Law hich lay down this rule.~~ Apostacy is one of the grounds of exclusion from inheritance. As ~~it,~~ change of religion amounts to Civil death, it follows, therefore, that a convert will have no ghts whatever against his non-converted brothers &c., nor *vice versa*. It is admitted by all that the n-converted brothers will have no rights over property separately acquired by the convert either efore or after his convertion. It stands to reason then that the convert shall have no such rights ver his Hindu brothers, whereas, the Act in question, aims not only at striking at the very root the Hindu Law but also offends natural Law by giving the convert all rights and subjecting im, to no corresponding liabilities. It is a *monstrous law*

As to marriage, amongst the Hindus, it is a necessary religious ceremony & not a contract. hen again, the parties enter upon the state of marriage with a promise from the one to the other at they would continue in the *Dharma* of their own religion. If one of the parties then changes is religion, he must certainly stand deprived of all marital rights—right to the custody of his wife nd children inclusive. The law of England and even the decisions of the Privy Council go to ow that the welfare of the children should be the chief guide and this is presumed to be in e child's continuing to live in the religion of its birth.

Such being the case, the introduction of the Act into Mysore, would only end in reating social and family disturbances. India is not like England. Change of religion in India intimately woven with social and legal status (which is not the case in England) so much , that one religion looks upon the other as irreligion. ~~No marriage can take~~ place in India ~~etween persons of different religions.~~

This is not the first time that the agitation to introduce the Act nto Mysore has been made. The agitation was begun in the year 1872. Hutchi, a dra girl, was a student in a Missionary School in Bangalore. It was *said* that she had expressed er intention to be baptised as a Christian. Just imagine a girl of such a tender age, unmarried irl, of the sudra caste entertaining the high ideas of baptism, her running away, her drive ack, her being able to file a suit and carry the same in appeal. You can guess whose work all his was—wh[illegible] Hutchi's or [illegible] however, married, it is said against her wishes, to a sudra, [illegible] But she was again car[illegible] back to [illegible]'s house [illegible] her *tali* to her nother-in-law and ran away to the missionaries where arrangements were being made, to marry er to a Christian husband. Appiah, however, kicked up a row and thus the intended new marriage fell through. *Hutchi* then filed a suit against Appiah for damages, which was, however, lismissed both in the Lower and Appellate Courts. The matter, however, did not end there. The then Judicial Assistant, Rajadharma Pravina T. R. A. Thumbu Chettiar, himself a Christian convert, is said to have written to the Judicial Commissioner, advocating the extension into Mysore, not only Act XXI of 1850 but also Act XXI of 1866. The latter provides for a lissolution of marriage in the case of a Native convert to Christianity, who cannot, under the Christian Law, marry a second-time during the life-time of the former husband or wife. The matter was, it appears, referred to the Chief Commissioner who called for the opinions of all he Divisional Commissioners, about six in number, three of whom were Europeans and the three, Hindus. You would expect naturally that all the European Commissioners were in favour of he proposed measure and the Hindu Commissioners against it. No, it was not so. The three Hindu gentlemen—Mr. B. Krishna Iyengar, Mr. Purna Krishna Rao and Mr. R. Vijayendra Rao are said to have raised no objection whatever to the introduction of Act XXI of 1866 as they thought it very hard upon the convert to deprive him or her of the chance of marrying again, but opposed the introduction of Act XXI of 1850 into Mysore on the grounds that Mysore was a Native State and the majority of the people of the Province were either Hindus or Mahomedans. Of the three European Commissioners, only two are said have opined in favour of the introductions of both the Acts into Mysore. The noble exception was Col. J. Campbell. He is said to have very shrewdly and justly observed that the introduction of Act XXI of 1866 was necessary, but that he would oppose the introduction of Act XXI of 1850. It is a general principal of jurisprudence that no Act shall have a retrospective effect, unless for grave reasons. The proposed measure would, therefore, not improve the status of thousands of those who had already become converts to Christianity. It might possibly have affected those who were contemplating or might thereafter have contemplated to change their religion. But, the fact remains that there is no Section of the Hindu or Mahomedan community who feel the want of the proposed measure. Mysore is a Native State administered by a Native Maharajah who, by introducing the Act would be compelled to enforce a law which over rules the tenets of his own religion and the religious tenets of his subjects. The Act in question has not been introduced into any other Native State. For all these and other re[illegible] Mr. Campbell was not in favour of making the Act XXI of 1850 the law of the Mysore [illegible]ntry. These are weighty words and I would repeat them now and ask you to ponder over [illegible]

But even after th[illegible] the [illegible] did not cease. For in the year 1873, the Madras Missionary Confere[illegible] and made an application and Hutchi also submitted a petition [illegible] The Government of India are said to have replied that [illegible] of the Act would be hardly justifiable under the peculiar circumstances of the country [illegible] put an end to the agitation.

But again, the agitation commenced, for in the year 1877, Hutchis sent up a petition to the Government of India to review their former decision. The Bangalore Missionaries headed by Mr. B. L. Riee also made an application to the Government of India. The Government of India replied in 1873 that they saw no sufficient reason to alter their previous decision. Did this put an end to the agitation? No

The Bangalore Missionary Conference again petitioned the Viceroy through the Chief Commissioner. The opinion of the Judicial Commissioner, Mr. Sandford seems also to have been obtained. The opinion of Judicial Commissioner seems to have opposed the measure inasmuch as it was a direct attack on the leading principles of *Daya & Sraddha* and should not be introduced into a Native State. The Chief Commissioner then recommended to the Government of India the introduction of Act XXI of 1866 but not Act XXI of 1850 which, he said, must be left to H. H. the Maharajah to deal with. Nothing seems to have been done during the regime of His Highness our beloved Sri Chamarajendra Wodayar Bahadur.

Did this stop the agitation? Again *no*. The remark that His Highness might deal with the Act XXI of 1850 was laid hold of as a handle & when the case of Dasappa v Chickmma (A suit by the husband Dasappa to recover his Hindu children from his Hindu wife Chickmma came) Mr. Thumboo Chettiar, one of the Judges, reiterated his former contention, whereas Mr. A. Ramachendra Iyer and Sir P. N. Krishna Murti, the other two Judges held that Dasappa was not at all entitled to the custody of the children. They held that the outcaste had severed himself completely from the original family, that the marriage was dissolved and with it, the obligations also.

~~This is the history of the agitation of the question in Mysore. Now what I have shown above goes to show that~~ It is highly unjust that this act should be introduced into this Province in any shape whatever. ~~I firmly believe & I have no doubt you will all be one with me in thinking that~~ This Act XXI of 1850—an imperfect Act in every way—an Act dead & superseded as it were, by the Queen's Proclamation of 1858,—an Act which would culminate in creating social and family disturbances among the Natives,—an Act whose introduction into the State has been negatived by the Secretary of State for India, by the Government of India, by the highest court in the Province and by the late Regent H. H. the Maharani, Sree Vanivilasdammanavaru; should never be introduced into this Native State of Mysore, hoary with old traditions and the Sanatandharmas of the illustrious *Yadava Kings.* ~~I therefore feel it my bounden duty to move the first Resolution as follows:—~~

~~From the above reasons~~ It is reso

The contemplated introduction of Act XX1 of 1850 with or wit
tifications, or of any Act of a similar character into this Native Sta
sore is undesirable, inasmuch as it affects vitally the religion and
'al condition of the Hindu and Mahomedan communities in the
e.

Moulvi Sikanduruddin Sahib said:—"We Hindus and Mahomedans may fight for a moment, but the next moment join hands with each other. What is it that a man can call his own in this world? His religion, his wife, his children and his property. Shall we be asked to give up our religion, our wives, our property and our children? We pay taxes to the Government most loyally. The Government should protec our religion, our wives children, our property, and our *izzut* against inroad by others. I quote a passage from the Koran the meaning of which is that if a man became a kaffir, he would be deprived of his share in his original family property. This is part of our Koran itself. If the new law were to be passed, a page out of our Koran is to be torn off. Shall we remove that page from our Koran? We cannot. We shall not. We dare not do so. A man gets property under our Shastra, because it is laid down that he would give *sabab* to his parents and deceased relations. I firmly believe that our Government would not by force introduce this law. Let us—Hindus and Muhammadans alike, try to avert this catastrophe. If the new law be passed, the Hindu and Mahomedan Laws are strangled. While there is time, let us fight. To-day's egg is better than to-morrow's hen. Look to your children, your wives, your property and above all, your religion. I have, therefore, the greatest pleasure in supporting this Resolution."

Mr. Moulvi Durvesh Peer said:—"The Mahomedan as well as Christian religions materially differ from one another. The Xians are bound to marry one wife. We take more than one wife. They are Governed by the law of promogeniture. Our property is inherited by all our children. A survey of the Mahomedan countries of the world goes to show that all Mahomedans are governed by Mahomedan law. George III Act 29. Sec. 71 distinctly says that the Mahomedans of India should be governed by Mahomedan Law. There are several Mahomedan countries under France and Italy. The French and Italian Governments permit their musalman subjects to be governed by Mahomedan Law. In the North of Africa and in Central Asia, there are a number of Mahomedan countries which are governed by Mahomedan Law. All these go to show that the policy of every enlightened country is to permit their subject-races to be governed by their own religious laws so far as their social & religious condition is concerned. Religious neutrality is the shibolleth of every progressive Government. The Government of India is the most advanced Government in the world. Religious neutrality has been, and should ever be the motto of this Government. It is a matter for great regret that the Government of India allows the Christian missionaries to disturb the social and religious condition of India. Their religious propoganda and the silent aggressiveness with which it is carried on has unfortunately been affecting our religious and social equilibrium. Both Hindus and Mahomedans should unite together and place before the Government of H. H. the Maharajah our humble prayer that if the provisions of the Act under discussion, are extended to Mysore, there will be a social and religious disturbance which is most undesirable and which may, in the fullness of time, disturb the cordial relationship that subsists between the Imperial Government and its beloved and loyal subjects. I, therefore, support the Resolution proposed by Mr. K. Chendrasekhariah under the full belief that by doing so, I am doing my very best to strengthen the foundations of the British Empire.

Moulvi Abul Mazaffor Meer Mahomed Hussain Said:—" The law of inheritance and the right of guardianship of minors, is governed by Mahomedan law among us. The present Legislation aims at abrogating the Mahomedan Law altogether where it concerns our religious well-being. Those who contemplate this Legislation do not know the gravity of the great evil that they are going to inflict upon us. I do not believe that the responsible British Government and the noble British people are animated by this aggressive spirit of Christianity. We must appeal against this Legislation through our Government. We must approach the Government of India first, the State Secretary next, H. M the Emperor of India afterwards and appeal to the British Nation finally. All this will cost money. Let us all subscribe to the best of our abilities. Let us raise a fund to defend our social and religious rights. Let us send a deputation to England if necessary. If we do so, we are sure to obtain complete justice from the noble British Nation. I am glad to support this proposition.

Mr. A. Ramanna, Advocate said :—It gives me great pleasure to support the Resolution before the meeting. The marriage vows referred to by my friend Mr. Chendrasekhariah are too sacred to be trodden under foot. At the time of the marriage, both man and woman take a solemn oath that they will be faithful to each other for life, not only in matters of religious and monitary interests but also in that of that sacred marriage relationship which they so solemnly contracted. I can never believe that either the Government of India or the British Govt. or the noble British Nation will countanence such a reactionary law. While supporting the Resolution, I would say that no stone should be left unturned to show to the British people, how this Law makes short work of our marriage and social institutions and how this work of destruction and vandalism will prove outrageous to the beloved subjects of His Majesty the Emperor of India and of the British Nation.

Mr. Ramachendar Chatterji, a disciple of the Sivagangaswami said :—I am one of those who feel very keenly the attempt to impose this Law upon the Hindus and Mahomadens. This country was for fifty years under the rule of the British Commission. The noble British Officers who wielded the destinies of Mysore for half-a-century never thought of having anything to do with the religious or social concerns of the people of Mysore. It is a matter for great regret that any attempt in this direction should have been made in Mysore. I support the Resolution with all my heart and I pray that God the Almighty will enable the authorities both in India and in Home to see clearly the great advantages of religious neutrality and to make them never to cast in their lot with any aggressive religious propaganda.

Mr. Govindacharlu said :—The introduction of this new law is against the traditions of the British people. Their motto is religious neutrality and it is a sin on the part of any body to do anything calculated to tarnish the glory of the British people in this matter. I feel assured that we are collected together here to do a duty to His Majesty the Emperor and the noble British people by trying to do our best to see that the contemplated introduction of this thoughtless Legislation will not lead to spoil the reputation of the British people and their name for neutrality in all matters of religious interest. I am confident that the Resolution, we have before the audience will, when passed, appeal strongly to the rational and unbiassed instincts of the Government of India and the British people and will ultimately lead to the withdrawal of the measure.

Pandita Vibhaga Sastry said :—The Government of India has been showing a respect for the laws of the country unprecedented in the History of any nation on earth. I think it is the duty of the meeting to place before His Highness the Maharajah's Government the spirit of the sastras in the matter and leave the question there. I am confident that our representations will reach the Government of India and lead to the withdrawal of the measure. I shall now come to the sastras. They unmistakably say that eunuchs mad men and those who have given up their religion to join another, cannot claim inheritance. The reason for this is, they cannot save those whose property they claim from puth. No man can inherit another's property except on his competency to perform the *shradha*. Our representation of this fundamental nature of the Hindu society should be clearly explaind to the Government. If we do so, the Government of India and British people will try to stem the tide of this aggressive religious propaganda.

Pandita Narayana Sastry said: I heartily support this proposition. I have too great a faith in the religious neutrality of the British people to believe that this aggressive and irrational law has their countenance. The Hindu sastras exclude even sanyasins from inheriting their fathers' property for the simple reason that they are released from offering *pindas* to their deceased ancestors. What wonder if converts to other religions are disinherited? I approve of the Resolution and support it with all my heart.

Mr. M. C. Ranga Iyengar Advocate Said:—I have much pleasure in supporting this Resolution. It is rather late. I dont want to detain you any longer. I am of opinion that it is neither right nor just to engraft the principles of Christian religion into other religions and make them obligatory on others. According to Christian principles, a Christian convert should not take more than one wife. Is it right to make this obligatory upon the Hindus and Mahomedans? The law of inheritance among English people is quite different from the law of inheritance among us. Amongst the English people, the first-born son inherits all the property and all the other sons are left to shift for themselves. Among us all the sons are entitled to inherit the property of their father equally, because each one of them offers the *pinda* to the deceased father. It is nothing short of partiality to Christianity to introduce this Act into this Province. The effect of this would be to favour one religion at the expense of the others. Though the Hindu law is made applicable to inheritance, marriage and adoption and though contracts are made governable by the General Contract Act, yet interest exceeding the principle due under a bond etc, is not allowed under our courts of law, because the Hindu law prohibits such a thing. Thus even in matters coming under the General Contract Act, the Hindu law is administered by force. The right of inheritance and guardianship of converts is unmistakably settled by the Hindu Law. Interference with the law on these points, will shake the very foundations of Indian Society. This interference is, therefore, both unjust and inexpedient, to say the least of it. I support the proposition inasmuch as it is very necessary to support it in the interests of British Justice and fairplay.

Pandita Narasimhasastri of the Sivaganga Mutt said as follows:—The Hindus are a religious people. Their words, deeds and actions are controlled by Smrities. They lay down rules of conduct for the observance of all the classes of the Hindus. Those who abandon these rules of conduct, become heretics and it is impossible for heretics to attain happiness either in this world or in the world to come. All those that are near and dear to them in this world abandon them. This leads to terrestrial unhappiness. He who has given up the traditions and rules of conduct with which he was born, finds himself at sea when he adopts foreign rules of conduct. He will lose touch with the rules which were, as it were, his birthright and he will never be able to observe the rules of conduct prescribed by religions which he adopts. So he will lose merit which it is possible for him to acquire by remaining in his own religion. The holy sages have, therefore, said that it is easy to obtain salvation by remaining in one's own religion and that it is very difficult, nay, dreadful to leave the religion in which he was born and bred up, to adopt another of which he has no manner of knowledge or experience. This goes to show that a convert to another religion loses the blessings of this world as well as of the world to come. The Sastras say that even an adopted person lose inheritance in the family in which he was born; because he becomes unfit by his adoption to offer Pinda (ಪಿಂಡ) to his ancestors. There is greater reason that a man who becomes a convert to Christianity should not interit his father's property. A man who marries in his own religion makes solemn and indissoluble vows at the time of his marriage. These vows are broken when he goes to another religion. A man who breaks solemn oaths made before God and man when in one religion, has no manner of right to inherit his father's property which is inherited only by those who remain in the religion.

Moulvi Abdul Azeez Sahib said:—There are many religions in the world. They have their own followers. Christianity has its own followers. The Christians should be governed by their laws as the Mahomedans, Hindus and others are governed by their own laws. The laws of one religion should not be made obligatory on the laws of another. If such a step is resorted to, it will lead to complications of a serious nature and it will be distructive of peace and prosperity. The History of the world is full of illustrations on this matter. Religion is a sour point. Enlightened Governments have completely realised the evil of an agressive propoganda in religious matters. The British Government has likewise done so. The provision in the Proclamation of 1858 is an instance to the point. Let us pray the Government of India and the British Government through our Government to save us from the misfortune which the introduction of this law theatens. I support the Resolution inasmuch as it will strengthen our unmixed loyalty to the British Sovereign.

It being rather late, further discussions hand to be stopped, though there were many others wishing to speak on the subject. The resolution was therefore put to the votes and carried unanimously.

Abba Abdul Shukkar Sait next moved the Second Resolution which was as follows:—

That the Chairman be authorised to submit the proceedings of the meeting and the Resolutions carried on, to His Highness the Maharajah of Mysore as well as to the Mysore Government. This was seconded by Sowcar Bajjanna and carried unanimously.

The Chairman then said;—

Gentlemen.—I thank you for your calm and sober discussion of this delicate subject. The British Government is a Government noted for its justice and fairplay. It will not I assure you force this act on us. We submit our prayers to our Government. Our beloved Maharaja and his Government are the trustees of our religious welfare. We know how our beloved Maharani the late Regent safeguarded our religious wellbeing only a few years ago. It is still fresh in our memory. We are thankful for it. We have now framed our prayers. We may now leave them in the hands of H. H. the Maharajah and his Government and trust that the Counsels of our Government, the Government of India, the British people and Providence will save us from this Legislation, a Legislation which, if forced upon us cannot but shake the very foundations of Indian contentment.

Mr. A. Krishna Rao, proposed a vote of thanks to the Chairman which was carried nem con.

A. Venkata Krishnaiyya

Chairman

M. Venkata Krishnaiya Esqr,
Mysore

Sir,

I am directed to acknowledge the receipt of the copies of proceedings of the public meeting of the citizens of Mysore held in the Rangacharlu Memorial Hall on the 7th April 1905, forwarded with your letter of the 16th idem respecting to the Private Secretary to H.H. the Maharaja and to this Office and to state that the matter will receive due consideration ~~same has been forwarded to the Chairman of the Committee appointed for the consideration of the necessity for a legislation for the removal of disabilities~~

of native Christian converts in Mysore for ~~favourable~~ ? consideration

I take it

1/5/05

Secretary

RS
29/4/05

SN
1/5/05

List of enclosures.

Copied by 1/5/05

Examined by SN 1-5-1905

The Secretary to the
ernment of Mysore
Revenue and General Departments
Bangalore

I respectfully beg to Submit
Copy of proceedings of a meeting
the Towns-people of Hassan in
l to the proposed introduction of
XI of 1850 into the Province of
and trust you will be pleased
e it before His Highness the
raja for his benign Consideration

Justice A. R. Stanley Esq. I.C.S.
(Bar-at-Law)
Chairman of the Committee
~~appointed for the consideration~~
~~of the measures for~~ anent legislation for
the removal of certain ~~the~~ disabilities of ~~the~~
native Christian converts in Mysore

Sir,

I am directed to forward for favor of consideration by the above ~~said~~ mentioned Committee a copy of the proceedings of a meeting of the town people of Hassan received with letter dated the 3rd May 1905 from the Chairman of the meeting Mr. H. A. Srinivasa Rao.

I have &c

6.5.1905
Secretary

NB SN 5/5/05 5/5/05 5.5.05

over.

M.R.Ry

H. S. Srinivasa Rao,

Hassan

I am directed to acknowledge receipt of the copy of the ceedings of the meeting of ownspeople of Hassan arded with your letter the 3rd instt and to state the matter will receive onsideration of the Govt

I have &c

5.5.05

5.5.1905

Secretary

OFFICE OF THE PRIVATE SECRETARY TO
H. H. THE MAHARAJA OF MYSORF

No. 2078 Dated Ootacamund, 9th May 1905

DATE 14.5.05
NO. 6482

Send this to the Chairman of the committee or others regulation for consideration along with other memorials
9.5.05

Petition No.1906 dated 8th May 1905 from H.R.Srinivasa Rao, Chairman, Hassan, is forwarded with compliments to the Dewan of Mysore, Ooty, for favour of disposal

By Order

E Maconochie

I.C.S

Private Secretary.

Draft read
15/5/1905

iii
15/5/05

The Private Secretary to
His Highness the Maharaja of
Mysore —

Sir,

I respectfully beg to submit herewith copy of proceedings of a meeting held by the Towns people of Hassan in regar to the proposed introduction of Act XXI 1850 into the Province of Mysore, and trust you will be pleased to place it befor His Highness the Maharaja, for his benig Consideration —

H R Sreenivasa Rau Retired Amildar
B Narasimhaiengar BA BL, Advocate.
M A Tirumalachar, Retired Asst: Commissioner
H Muthappa Retired Asst Conservator
D Venkataramanna, Retired Dy: Amildar
Nadigathimma Basavaya Yejman of the Brahmin Community
V Moorty Krishna Joisar
Mr Shanbhog Ranganna
H Venkatasubbiah
Shetti Bharamappa, Representative of the Ja Community.
B Alasingrachar, Contractor
Sanjeevia, Retired Shekdar
H S Bheema Rau
~~Mr~~ Pattanda Ramanna
M L Narasimhaiya 1st Grade Pleader

When all had assembled, Mr. Tirumalachar proposed and Mr. B Alasingrachar seconded that

Then all the members prayed with one voice the Almighty for the longevity and prosperity of His Highness the Maharaja of Mysore and all the Members of the Royal Family, and hoped that our beloved Sovereign would maintain the religious and social respect of the people of the Mysore Province which has not been disturbed but well maintained by his revered ancestors

Mr Muthappa proposed a vote of thanks to the Chairman, carried nem con

Meeting terminated at 5 P.M.

Signed" H.R.Srinivasa Rao
Chairman

"Copy"

H.R.Srinivasa Rao
Chairman

Mr. H. K. Sreenivasa Rau do take the Cha

Mr. H. K. Sreenivasa Rau on taking the chair read the notice calling on the meeting and explained the object of the meeting in Canarese. The Chairman said that they had met to submit a resolution of the meeting against the proposed introduction into this Province of Act XXI of 1850 which is a dead letter even in the British Territories, after a full and loyal discussion on the object

Mysore is undesirable, inasmuch as it affects vitally the religious and Social Conduct of the Hindu, Ja and Mahamadan Communities in the Province

This resolution being seconded by Mr. Venkataramania, Retired Deputy Amildar, is carried nem con

Mr. B. Narasimhaiengar, B.A. B.L., Advocate then moved the 2d proposition which was as follows

"The Chairman be authorized to submit copies of the proceedings of this meeting, respectfully and loyally held, to our beloved Sovereign, His Highness the Maharaja of Mysore and to his Government."

This being seconded by Mr. B. Alasingrachar, Contractor, was carried nem con

The Chairman then thanked the members for the sober discussion of the matter and hoped that even the British Government would not introduce the Act, if they only knew the gravity of the question

The Chief Secretary
to the Govt of Mysore
Bangalore

Most respected Sir

I most humbly and respectfully beg to submit copy of Proceedings of the meeting held at Arsikere on 11.5.05 in connection with the contemplated introduction of Act XXI of 1850 with a request that you will be pleased to place the proceedings before the Government for their kind consideration.

Proceedings of Public Meeting held at Arsikere on 11th May 1903 in the Sri Ramadevaru's Temple Bazaar Street

All the various communities were represented and amongst them the principal citizens were the following,

Mr. Chinnah Chetty
„ Venkatroy Chetty
„ Gubbi Bettiah Chetty
Bazaar Puttiah
Vasudeva Chetty
Venketachella Chetty
Kazi Shem Shudin Sahib
Syedullakhan Saib
Kassimali Sait
Seetharamiengar

Mr. S. Iyrouapa
Sannapa
Deepaji
M. Ramiah
Dassappa
A. Krishnappa
Bulvanta Roy
M. Velle Dooboiah
Tirunaraiehar

When all had assembled Mr. Chinniah Chetty was proposed to take the chair which he kindly accepted Mr. Chinniah Chetty on taking the chair requested Mr. Seetharamiengar to read the notice and to explain to the Assembly the object of the meeting. Mr Seetharamiengar accordingly explained to the audience present that in the meeting convened the Question of the introduction of the contemplated Act XXI of 1850 into the Mysore State should be discussed upon and resolutions passed thereon -

Mr Balvantaroy the Municipal Commissioner and land holder thereafter rose up and explained the question in all its various aspects and also read out the proceedings passed by the citizens of Hossan on the 27th day of April 1900 and came to a ~~concluded~~ that the contemplated introduction of Act XXI of 1850 is highly undesirable and ~~expressed his strong protest against it~~ in as much as it affects vitally the religious and social conduct of the Hindu and Mahamadan Communities in the Province. This Resolution was seconded by Mr Syedullakhan Sab land holder and contractor and was carried unanimously.

Mr H Krishnappa then moved the second resolution that the Chairman be authorized to submit copies of the proceedings of this meeting respectfully and loyally to their beloved Sovereign His Highness the Maharajah of Mysore and to his Government. This being seconded by Messrs K Subbarao and K K Krishnamurthi was carried unanimously.

Justice A.R. Stuley Esq I.C.S
Bar at Law
Chairman of the Committee anent legislation for the removal of Disabilities of native Christian Converts in Mysore
a

Sir

I am directed to forward herewith for favor of consideration by the abovementioned committee a copy of the proceedings of a meeting of the Citizens of Tarikere held on the 11th May 1905 received with letter dated the 14th May 05 from the chairman of the meeting, Mr Chinnaiah Chetty.

Have &c

Secretary

I am directed to acknowledge the receipt of the copy of the proceedings of the public meeting held at Arsikere on the 11th May 08 forwarded with your letter of the 14th idem, and to state that the matter will receive the consideration of H H the Maharaja's Government

I have to

Asst. Secretary

SW
15/5/08

DATE 19.5.05
NO. [illegible]

Petition No. 1930 dated 15th May 1905 from Chairman Shahuka Rayappa, Yedehalli, is forwarded with compliments to the Dewan of Mysore, Ooty for favour of disposal.

By Order.

I.C.S.,

Private Secretary.

OFFICE OF THE PRIVATE SECRETARY TO
H. H. THE MAHARAJA OF MYSORE.

Dated Ootacamund, 23rd May 1905.

Petition No.1942 dated 18th May 1905 from Chinniah Chetty, Chairman of the Meeting, Arsikere, is forwarded with compliments to the Dewan of Mysore, Bangalore for favour of disposal.

DATE 29.5.05
NO. Pet 86

To the President of the Committee
[illegible]
.5.05

By Order

For Private Secretary.

Branch III

2/

His Highness
Sri Krishnaraja Woodyar
Bahadur the Maharajah
of Mysore

May it please His Highness

I most loyally and respectfully beg to submit the enclosed copy of proceedings of the meeting held in connection with the contemplated introduction of Act XXI of 1850 and pray that His Highness may be graciously pleased to give the matter its due consideration and issue orders for the Concelment of the measure in the interest of His Highness subjects

Proceedings of a Public Meeting held at Oselkere on 11th May '05 in the Sree Rama Swamy Temple Bazaar Street.

All the various communities were represented and amongst them the principal citizens were the following

Mr Chinnia Chetty
" Kuchoor Chetty
" Gubbi Bettiah Chetty
" Bagoor Puttiah
" Narayana Chetty
" Kazi Shem Shundri Sahib
" Syedullakhan Sahib
" Kassimah Sait
" Seetharamiengar

Mr Nathapa
Ramanna
" Deepappa
" M Rangiah
" Dottappa
" H Varikappa
" Bheemaiah Rao
Mr Venkatasubbiah
Tirumaranachar

When all had assembled Mr Chinniah Chetty was proposed to take the Chair which he kindly accepted Mr Chinniah Chetty on taking the Chair requested Mr Seetharamiengar to read the notice and to explain to the Assembly the object of the meeting. Mr Seetharamiengar accordingly explained to the audience present that in the meeting convened the question of the introduction of the contemplated Act XXI of 1850 into the Mysore State should be discussed upon and resolutions passed thereon.

Mr Bheemaiah Rao the Municipal Commr and Land holder thereafter rose up and explained the question in all its various objects and also read out the proceedings passed by the Citizens of Hassan on the 27th day of April 1903 and came to a conclusion that the contemplated introduction of Act XXI of 1850 is highly undesirable and expressed his strong protest against it in as much as it affects vitally the religious and social conduct of the Hindu and Muhamadan Communities in the Province This Resolution was seconded by Mr Syedulla Khan Sahib Land holder and Contractor and was carried unanimously

Mr H Krishnappa then moved the 2nd Resolution that the Chairman be authorized to submit copies of the Proceedings of this meeting respectfully and loyally to their beloved Sovereign His Highness the Maharajah of Mysore and to his Government. This being seconded by Mr V. Subba Rao and K N Krishna Murthi was carried unanimously

Justice A. E. Staley Esqr
I.C.S (Barr at Law)

Chairman of the Committee ment
legislation for the removal of
disabilities of the native Christian
Converts in Mysore

Sir

In Continuation of this
ffice letter No 3364 / Leg 25.14 &
he 22nd May 1905, I am directed
o forward herewith for favor
considerat by the abovemen-
tioned Committee a copy of the
proceedings passed in a meeting
of the Yedehalli Town Improvement
Association held at Yedehalli
on the 9th Instt, received with the
letter of the 10th idem from the Chairman
of the meeting Mr Sahukar Rayappa

M R Ry

Sahuka Alagappa
Chairman of the Yedehall
Town Improvement Associat
Yedehalli.

I am directed to acknow
dge the receipt of the copy of
proceedings the Association ~~meeting~~
sed in a meeting held on
th May 1905 forwarded ~~[illegible]~~ with
our letter dated 8th Inst and
state that the matter will
receive the consideration of
of the Maharajas Govt

~~The undersigned~~ We most respectfully beg leave to ~~place~~ submit the following resolution, before ~~You~~ with a fervent prayer that the same will be favourably considered

I That this meeting is unanimously and emphatically opposed to the proposed introduction of Act No XXI of 1850 either in its entirety or with any modifications whatsoever into the Province of Mysore as otherwise it would vitally affect the Religion of the Hindus and the Mahammadans in the Province

OFFICE OF THE PRIVATE SECRETARY TO
H. H. THE MAHARAJA OF MYSORE.

Dated Mysore, 3rd June

Petition No. 1991 dated 3rd June 1905 from Mr. P. Bheemasena Rao Retired Amildar and President, Public Meeting, Chitaldrug, is forwarded with compliments to the Dewan of Mysore, Bangalore, for favour of disposal

By Order

Deal with other petns of [illegible] [illegible]
[illegible]
4.6.05

5.6.05
Pet 89.

Transmit the [illegible]
Send to the President

6.6.1905

[illegible]
6.6.05

P. Raghavendra Rao S.,
for Private Secretary.

His Highness Sree Krishna Rajendra Wadayar
Bahadur

Maharaja of Mysore

May it please your Highness.—

The President of the Public meeting convened on the 16th May 1905 in the Chamarajendra Memorial Hall Chitaldroog most loyally and respectfully begs leave to place the following Resolution at your Highness's feet in the fullest hope that the same will receive your Highness's best consideration.

That this meeting is unanimously and emphatically opposed to the proposed introduction of Act No. XXI of 1850 either in its entirety or with any modifications whatsoever into the Province of Mysore — as otherwise it would vitally affect the Religion of the Hindus and the Mahammadans in the Province.

To

Justice A.E. Stiles Esq. I.C.S.
Bangalore

Chairman of the Committee anent
gitation for the removal of disabilities
of the Native Christian Converts in
Mysore

Sir.

In continuation of this
ffice letter No. J 3443/Leg 25-8 of the 25th
ltimo, I am directed to forward
erewith, for favor of considera
y the abovementioned Committee,
copy of a resolution passed at
public meeting held in the
hamanayudu Memorial Hall,
hitaldrug, on the 16th idem received
with a letter from the Chairman
the meeting Mr P. Bheemasena
Rao,

M R Ry P Bheemasena Rao.
Retired Amildar, Chitaldrug

Sir,

I am directed to acknowledge the receipt of the resolution of the public meeting held in the Chamarajendra Memorial Hall at Chitaldrug forwarded with your letter addressed to His H the Maharaja & to the [illegible] & to state in reply that the matter will receive the consideration of H.H. the Maharaja's Govt

I have &c

Secretary

Forward ~~for~~ favour con-
ation, a copy of the
Procs of the meeting of
the ~~[illegible]~~ people of Ka
held in Sepanyangar
Choultry, at Kady on the 2nd 8
1905, ~~in the matter of~~
the proposed introduc
into this state of Ac
of 1850, stating tha

~~this~~ Act XXI of 1850 was favourable only to the Christian ~~A~~
religion; that it would put an end to the observances of the Hindu & Mahan
religions; that it would disturb the peace of ~~Hind~~
the ~~Indian~~ people in many parts of India & that therefor ~~that~~
should ~~not~~ be brought into force.

Justice. A. E. Stokes Esq.,
Bar at La

President of the Committee
Legislation for the removal
disabilities of the native Chri
Converts in Mysore

Sir

In continuation of
Office letter No. 3561 of the 5th
Leg. 25.12
1905, I am directed to forw
herewith, for favor of Conside
by the abovementioned Comm
a copy of the procgs of the
~~[illegible]~~ meeting
inhabitants of Kadur hel
Seshayengar's Choultry at K
on the 21st May 1905, receiv
with letter dated the 24th

M R Ry
Naugh Seshaiengar
Kadur

Sir,

I am directed to acknowledge the receipt of the procgs of a ~~the~~ meeting of the inhabitants of Kadur held on the 21st May 905 in the matter of the proposed introduction into the State of Act XXI of 1850 forwarded with your letter of the 24th idem, and to state that the same will receive the consideration of H H's Govt

I have the
for Secretary

The Secretary to the Government of His Highness
the Maharaja of Mysore, Gen. & Rev Departments

I have the honor to submit herewith copy of the Resolution passed by the public meeting consisting of over 200 citizens representing various communities and callings, held under the auspices of the Nagar Sabha in the Petta Basaveswara temple at Shimoga on the 18th instant for submitting a protest respecting the introduction of any such enactment as the British Indian Act XXI of 1850. It was resolved at the said meeting that the Resolution be forwarded by me to Government under cover of a letter, containing amongst other particulars, the substance of the discussions with the reasons that were urged for the result arrived at by the meeting.

The meeting was of opinion that the introduction of the said piece of legislation was an interference with the Religious and Social rights and customs of the Hindus and Mahommedans The Government of India proclaimed so long ago as 1858 t that they would maintain strict neutrality in religious and caste matters. The Hindu and Mahommedan laws have from time immemorial treated the apostate as ineligible for any civil rights in his, I may say, pre-conversion family. In other words, the law givers of these two great Indian nationalities declare that the apostate ought to forfeit all the succession and fami rights, whether vested or contingent. It is a well established principle of Hindu Law that succession involves the liability to perform the obsequies of the three lineal departed ancestor and the performance of those obsequies, it need not be said, mu be in accordance with the Hindu Law. Thus the religious rules

Mahommedan law declares that the apostate is quite ineligible for civil rights in the family or to the property. These laws, the meeting submits, are contained in the Hindu and Mahommedan scriptures. Thus any interference with the said laws is tantamount to interfering with the religion of these nationalities. And it need not be said that the Government have proclaimed their neutrality or non-interference in religious matters and any interference with these laws is accordingly against the professions of the Sovereign. In India, and accordingly in Mysore, religion and society are so intermixed that it is well-nigh impossible to draw any line between the two -much less disassociate one from the other. Further the number whom the proposed enactment is likely to benefit is extremely small. To enact for the so called benefit of what may be aptly styled the microscopic minority is, in the humble opinion of the meeting both inexpedient and unjust, more so when we remember that these artificially created rights of the convert are likely to cause wrongs to the unconverted.

The member of the meeting are also aware of the argument sometimes advanced by those that are inclined in favor of the legislation that it is not an interference with religion but is only a furtherance of maintaining freedom of action and toleration in religious matters. It is humbly submitted that this reasoning is not convincing. For, when toleration for conversion is sought to be encouraged hereby, premium is offered for deserting one religion and accepting another. It is well known that Hinduism does not at all encourage any conversion; it has not till now taken any outsider into its fold. But the effect of this legislation would be to encourage Christianity at the expense of Hinduism. It is further likely to widen the gulf between the converted and the unconverted population.

Speaking generally, what is sought to be enacted tends only to make the Hindu and Mahommedan societies more and more artificial. To engraft on the laws of these societies the pringood conscience and natural justice authorise the step being taken. But it is submitted tha these rules vary with different nationalities professing different religions. From the Hindu point of view, for instance, it is equitable and quite consistent with good conscience and even natural justice to compel the creditor to take only as much of interest as is equal to the principal; but from the Christian point of view the rule that so deprives the creditor of his right to as much of interest as he can get is inequitable and against good conscience and even natural justice and from the Mahommedam point of view it is inequitable and even illegal to charge any interest at all. Instances of the kind may be multiplied.

Another argument that is advanced in favor o this legislation is that the same has been in force in British India for over 50 years, and that the British Indian subject population have subjected to it. This is no sound argument. n the first place the Act waspassed by the British Indian Government long before the Sovereign (Her Majesty the late Queen Empress) declared strict neutrality in religious matters in 1858. Secondly long before the British Indian public had the benefit of any representation on the Legislative Councils; and further long before anything like public opinion was possible in Indi for want of Western Civilisation.

The meeting was convened at 4 p.m., in accordance with the notice circulated in the Town. On the motion of Mr. Marvadi Hindoji which was seconded by Mr. Mahishi Manjappa, and supported by all the rest present, Mr. Khaji Syed Mohammed was elected president of the meeting. The Secretary thereafter read thenotice and the President explained in a short speech the object of the meeting. Mr. Abdulla Sait proposed that the Government may be petitioned to refrain from passing into law the draft Regulation drawn up on the lines of the British Indian Act XXI of 1850, which proposition after being seconded by Mr. Ahmed Sait and supported by Messrs. Nemaji Khande Rao, N. Narayana Rao, B. Garudachar, Ramanna, Marwadi Ponnaji, Balakrishna Rao, K. Rama Rao, C. Subba Rao and Abdulrahiman Sab, was carried nem con. The following resolution was thereafter passed:-

"That the public of Shimoga are humbly of opinion that the proposed legislation drawn up on the lines of the British Indian Act XXI of 1860 with or without modifications is undesirable in asmuch as the same

(1) affects vitally the religious and social rights and conditions of the Hindu and Mahommedan subjects of the State and

(2) is sure to introduce innovations of a radical nature sufficient to retard the healthy growth of these communities."

The public of Shimoga humbly pray that the benign Government of His Highness the Mah raja may kindly take the facts into their favorable consideration and refrain from passing into law the proposed legislation.

I have, &c.,

(Sd.) K. Rama Rao ,

Hon. Secy., Nagar Sabha,

SHIMOGA

Justice A. E. Staley Esq ICS
(Bar at Law)

Chairman of the Committee anent legislation
on the removal of disabilities of the native
Christian converts, in Mysore

Sir

In Continuation of this office
letter No. J 3673 dated the 21st June 05,
am directed to forward herewith
for favor of consideration by the
abovementioned Committee, copy
of the resolution passed in a public
meeting held under the auspices of
Nagar Sabha, at Shimoga on the
June 1905 received with letter of the
July 1905 from the Honorary Secretary
of the Said Sabha, Mr K. Ramachandra Rao

I have the

7.7.'05

M.R.Ry,
K. Rama Rao
Honorary Secy Nagarsabha
Shimoga

Sir,

I am directed to acknowledge the receipt of your letter dated the 1st July 1905 forwarding a copy of the resolution passed in public meeting held at Shimoga on the 8th June 1905 under the auspices of the aforesaid Sabha on the matter of the proposed introduction into the State of the British Indian of 1850 and to state that the matter will receive the consideration of H.H. the Maharaja's Govt. I have the

7.7.1905
W/6.7.05
~~Dep~~ Secretary

OFFICE OF THE PRIVATE SECRETARY TO
H. H. THE MAHARAJA OF MYSORE.

DATE 7.7.05
NO. 3

No. 75
Encl/

Dated Mysore, 5th July 1905.

Send with chairman of the [illegible] committee [illegible]
5 VII 05

Branch III
Draft ad [illegible]
7.7.05
[illegible]
8.7.

Petition No.51 dated 4th July 1905, from the members of the Hindu Community of Hyderabad, is forwarded, with compliments, to the Dewan of Mysore, Bangalore, in continuation of this office No.2852 dated 3rd June 1905.

Private Secretary.

To

His Highness Sri Krishna Raja Wodayar Bahadur,
Maharaja of Mysore

The humble petition of the undersigned the Members of the Hindu Community of Hyderabad.

Most Respectfully Sheweth,

1 That Your Highness' Humble Petitioners view with great concern the proposal brought forward before Your Highness' Government to apply Act XXI of 1850 to Your Highness' Territor

2. That in the opinion of your Highness Petitioners, this step on the part of the Mysore Government to acquiesce in applying the above Act to Your Highness' Territory is altogeth unnecessary and unwarranted.

3. Your Highness' acquiescence in applying this Act will not be construed as if your Highness' Government recognizes the advantages and necessity of applying the Act, which is not the case, as it deals a substantial blow to the rules and customs of Hindu socity and even to pure Hindu Law as interpreted by Shrutis and Smritis and not by Mr.Mayne and Indian Judges in ignorance of Sanskrit language and much more of the true spiri of Hindu Law.

4. Your Highness being a Hindu, and great majority of Your Highness' subjects being Hindus and not Christians, Your Highn Petitioners do not see any reason why this Act should be made applicable because a handful of Missionaries and Christians consider that it should be so at the expense of feelings of al the Hindu community including Your Highness.

5. That when this Act was passed in the Supreme Legislative Council the Legislators were arbitrary body in which voice of people was not consulted and even now when there are non-offic members in the Council, it so happens that there is always a minority of Native Members and consequently anything which the European Members consider fit to pass, they carry, notwithstanding the strong protests of the Native Members and the

The Secretary to the Government of Mysore
(General & Revenue Departments
at Bangalore

Letter dd. 6.7.05 From Raghunatha Char Sanskrit
master Govt School, Hass

Sir

I beg to submit a copy of the proceedings (translated into English) of the public meeting of the people of Belur on the 6th May 1905 for such action as the benign Government of Mysore will think fit for the benefit of loyal of his subjects who in the Almighty with their heart for the longevity & prosperity of our beloved Maharaja

Proceedings of a public meeting of the people of Belur held in the Belur Taluk Chavadi Mantap between 4 and 6-30 P.M. on Saturday the 6th May 1905.

The Sabha was well attended. Many Brahmin Pandits and leading gentlemen of Vaisya Community and of the Jain and other relogeous sects honoured the

those that attended the Sabha.

1 Vedamunti Vidwan Sree Raghunatha Char.
2 M.R.Ry Kalasapur Thammiya, Coffee Planter.
x

The meeting was formally opened by Mr. Kalasapur Thammiya. Coffee planter proposing, and by Mr. Kesavadasiengar, Coffee planter, seconding that Vidwan Sree Raghunathachariar resident Pandit do take the chair. The election was acceptable to all.

The chairman then explained in brief the object of the Sabha and after a lenghy and able discussion supported by numerous quotations from the Vedas, Shastras, Bhaghavat Gita, Manu and other woks, succesfully established ~~that contemplated~~ As the introduction into Mysore of Act XXI of 1850 or any other Act of a similar nature will materially injure the status of the different Varnas and shakes to the foundation the long established social and religious customs and rights created by birth, marriage and such other Samskaras.

All that had assembled exclaimed that the arguments were most convincing.

Coffee planter Mr Kalasapur Thammaiya then moved the proposition that was his earnest prayer that the Government of His Highness the Maharaja of Mysore should not ~~induce~~ introduce into the Province Act XXI of 1850 or any Act, Rule or Regulation of a similar nature contemplating to create or establish any rights unwarrented by ancient Hindu Laws on behalf of any convert to Christianity.

This proposition was in voice supported by all others, and Mr. Dasiengar, pensioned Head Munshi on behalf of them said that it was their eager desire that their beloved Highness the Maharaja

Sree Krishna Raja Wadeyar Bahadur, their wise ruler and compe trustee of their Arya Dharmas, will not for a moment harbour even the thought of the introduction, or bringing into force in his territies such an Act which has at the time of his predecessors met with disapproval.

It was finally proposed to authorise the Chairman to submit copies of the proceedings to His Highness the Maharaja of Mysore and to His Government for their benign consideration..

The meeting then terminated with a vote of thanks to the chairman.

(Sd) Vidwan Raghunatha Char
Chair man.

To

Justice A. G. Staley Esq. I.C.S.
Bar. at. law

Chairman of the Committee anent legislation for the removal of disabilities of the native christian converts in Mysore

Sir,

In continuation of this office letter No. J 140 dated the 4th July 1905, I am directed to forward herewith, for favor of consideration by the abovesaid Committee, ~~copies~~ of the marginally noted* papers ~~respectively~~ respectively received with endorsement No. 75 of the 5th idem from the Private Secy to H H the Maharaja & letter dated the 6th instant from Raghunathachar, Sanskrit master, Govt High School, Hassan.

I have &c

14-7-1905

Offr. Secy

M.R.Ry. Raghunathachar,
Sanskrit Master
Govt High School,
Hassan

Sir,

I am directed to acknowledge the receipt of ~~your letter of the 6th July 1905~~ the copy of the proceedings of the public meeting held at Belur on the 6th July 1905 forwarded with your letter of the 6th July 1905 and to state that the matter will receive the consideration of ~~the Maharajas~~ Govt.

I have be

14.7.1905
Secretary

OFFICE OF THE PRIVATE SECRETARY TO
H. H. THE MAHARAJA OF MYSORE.

Dated Ooty, 28th July *190*5.

Petition No. 164 dated 28th July 1905 from the Hindus and Mahomedans of Davangeri, is forwarded with compliments to the Dewan of Mysore, Bangalore, for favour of disposal.

By Order

I.C.S.,

Private Secretary.

H. Rudrappa & other inhabitants of
Davangere D.T

Forwards a copy of the resolution ~~the proceedings~~ of a meeting
the Hindus & Muhammedans of Davange
ld at Davangere on the 18th July 1905
tating that His Highness the Mahara
ay be pleased not to introduce in
ny form whatever, into this Province
ct XXI of 1850 which runs counter
proclamation of 1858 & which is cal-
lated to cause His Highness' Hind
uhammedan Subjects very great harm
anger & disturbance of peace.

Chairman of the Committee amend
eputation for the removal of disabilities
of the native Christian Converts in Mysore

In continuation of this office letter No. 9156/Leg 25-32 d the 17 July last, I am directed to forward herewith for favour of consideration by the above mentioned Committee a petition ddressed to H.H. the Maharaja by e Hindu & Mahomedan inhabitants of Davangere.

I have &c

Dy. Secretary

OFFICE OF THE PRIVATE SECRETARY TO
H. H THE MAHARAJA OF MYSORE.

Dated Ooty, 10th August

Petition No.221 dated 9th August 1905, from the inhabitants of Bhor, is forwarded, with compliments, to the Dewan of Mysore, Bangalore, in continuation of this Office No.236 of the 28th July 1905.

By order,

I.C.S.

Private Secretary.

Chairman of the Committee anent
legislation for the removal of disabilities
of the Native Christian Converts in Mys

ght to my notice on various
sions that, to the interests of
e Hindus, your Excellency
ways a staunch opponent
ny movements affecting the
and strength of our mother-
ion.

I beg to remain

Yours truly

Pt. V. Sriramasastry

Satāvadhāni.

Residency Bazaar
Hyderābad
(Deccan)

Justice A.E. Staley Esqre Bar-at-Law-

Chairman of the Committee anent Legislation
for the removal of the disabilities of ~~the~~ native
Christian converts in Mysore

Sir,

In continuation of this office letter no: 9497 Legis 25-37 dated the 21st August 1905, I am directed to forward herewith for favou of consideration by the above mentioned Committee a petiti addressed to His Highness the Maharaja by Mr V Sreeramá Sastry ~~on behalf of some inhabitants~~ of Hyderabad-Deccan

I have Etc

Deputy Secretar

File No 25
Serial No 40

Bangalore,
30th September 1905

From

The Chairman of the Committee of legislation
for removal of converts & caste disabilities.

To,

The Secretary to the Government of Mysore,
General and Revenue Departments.

Sir,

I have the honor herewith to submit the final proceedings of the Committee on the subjects referred to us. As will be seen we have agreed to recommend the draft Regulation embodied in them.

2. As will be seen the broad principle of the proposed Regulation is that which has been adopted by the Legislature for British India since Bengal Regulation VII of 1832, that religious laws should not operate to deprive persons of rights which they would possess but for those laws. (See I L.R. XI All.p.100 Bhagwant Singh and others Vs. Kallu).

3. We think however we have avoided inconveniences and injustice which might operate by the too general application of this principle by exempting from operation of the Regulation rights peculiar or only appropriate to a religion or caste: by protecting persons such as wives or minors who might otherwise be helpless from being forced to acts or to suffer acts inconsistent with the religion or caste in which they were born; by saving persons voluntarily renouncing their

Proceedings of the Committee on the Caste Disabilities Removal Regulation.

On 26th August 1905.

Present:

Mr.A.E.Staley, Chief Judge.
Mr.A.Rangasawmi Iyengar, Judge.
Mr.N.Subramanyam, Dewan Bahadur
Mr.M.S.Narayana Rao, Deputy Commissioner.
Mr.B.P.Annasami Mudaliar Rao Bahadur
Mr.Abdul Rahimon Khan Bahadur.
Mr.K.P.Puttanna Chetty, Deputy Commissioner.

Read the Petitions forwarded by Government for consideration of the Committee: and a letter of the Bishop of Madras.

In discussion it was agreed that it is impossible to fix the time of conversion from a Religion so as to afford a fixed point of time from which limitation can run, or at which property or rights become vested. Generally it was agreed that the proposals of the Chief Judge should be recommended striking out the preamble and with the modifications shown in the Draft Regulation given below. It was agreed that the Regulation should be confined with reference to Caste to persons deprived of caste since otherwise it mig be possible to hold that persons voluntarily leaving their caste rules to become ascetics might prefer a claim to inheritance, or be vested against their wills with rights which they have renounced (Tagore Law Lectures 1888 page 196 regarding operation of Act XXI of 1850)

Highness the Maharaja of Mysore is pleased to enact as follows:

1. This Regulation is called the Regulation for Removal of Religious and Caste Disabilities. It extends to the whole of Mysore and will come into force at once.

2. No person and no heir or representative of such person shall, merely by reason of his having renounced or being excluded from any Religion or of his being deprived Caste,

i. be divested of any vested interest to or in property;

ii be deprived of any right of inheritance or personal right

Provided that no person and no heir or representative of person shall by reason of this enactment be entitled to retain or acquire any property or right or to exercise any right peculiar or only appropriate to the Religion which he has renounced or from which he has been excluded or peculiar or only appropriate to the caste of which he has been deprived

Illustrations.

a). A is a trustee for an endowment of his Rel
Out of that endowment he is entitled to provide fo
own residence and maintenance. On being converted
another religion, he will cease to retain his intere
in the endowment.

(b). A a Hindu with vested interest in joint family property is converted to Christianity. He will, on conversion, retain his interest in that property but without the incidents peculiar or only appropriate to members of a joint Hindu family.

(c). A a Hindu dies intestate leaving him surviving a legitimate son B, a converted Christian. B will succeed A as heir, not by survivorship as a Hindu co-parcener

(d). A a Hindu dies leaving him surviving a legitimate son B a converted Christian. A before his death has disposed of his property by a valid will A property will follow the dispositions of that will.

(e). A a Mussalman with four legally married wives is converted to Christianity. A after his conversion will not be able to divorce them by Mussalman ceremonies.

(f). A a Hindu with Hindu sons becomes a Mussalman After conversion he will not be able to exercise the right of a Hindu father to give one of his Hindu sons in adoption to a Hindu.

(g). A Hindu Brahmin voluntarily renounces his caste rules and becomes an ascetic. He will not be affected by this Regulation.

No person and n heir or representative of su
shall by reason merely of another person's having
nounced or being excluded from any Religion or being
of caste

be devested or deprived of any property right of inheritance or personal right which he would have held had such other person remained in that religion or caste

ii. be forced to any act or to suffer any act inconsistent with or not appropriate to his own religion or caste.

contrary to the will of the Hindu members of the family enforce his right to live himself in the joint family house.

(c) A a Christian man has a Christian wife B. A becomes a Mussalman and marries a second wife by Mussalman ceremonies. A will remain liable for the maintenance of

chooses according to the law applicable to Christians. But A cannot enforce against her any conjugal rights, nor divorce her, except for reasons and in the manner allowed by the law applicable to Christians.

(d). A a Christian man with minor
becomes a Mussalman. He will remain
maintenance. But he cannot enforce
right of uardianship inconsistent
such as circumcising his minor sons
daughters in marriage to Mussalmans
subject them to Mahommadan law

(e). A son of B a Hindu becomes Christian and is consequently deprived of Caste. B will have the same right of adoption as he would have held if A had become an out-caste or disqualified son while remaining a Hindu but the adoption if made will not operate to deprive A of property or rights to which A is entitled under secti 2 of this Regulation.

Notification

The following draft of a Regulation to remove certain disabilities arising from change of religion or deprivation of caste, which has been submitted by the Committee appointed to consider the subject in Govt Order No J.2510-10/Legis dated the 3d March 1905, is published for general information.

All persons interested in the subject are invited to send in their opinions to the undersigned within two months from this date.

By order

12-1005

Petition dated 31st October 1905 from the Chairman, Sree nathana AryaDharma Tatvaprasaraka Mandali, Sreekshetra, Pundarpur is forwarded, with compliments, to the Dewan of Mysore for favour of disposal.

Subject

Forwards the resolution of the ~~They learn with extreme~~ Society expressing regret, that the Mysore Govt has under contemplation the introduction of a Regulation, entitling the converted members of a Hindu family to their share of patrimony, State that this is opposed to the rules laid down by the ancient learned legislator Manu, and pray that the proposed regulation may be given up out of deference to the ancient rules

OFFICE OF THE PRIVATE SECRETARY
656
2 NOV 1905
TO H. H. THE MAHARAJA OF MYSORE

जावक नंबर 188/१८८ ॥ श्रीरुक्मिणीपांडुरंगप्रसन्न॥

श्रीसनातन आर्यधर्मतत्वप्रसारक मंडळी
श्रीक्षेत्रपंढरपूर स्थापन मि. पो. शु. ११
मंगळवार शके १८२२ ता. १।१।०१ इ

मंडळीच्या कार्यकारी मंडळीच्या
श्रीक्षेत्र पंढरपूर येथील प्रधान
कार्यालयांतून मिती
(आश्विन वद्य ३ शके १८२७)

! श्रुतिस्मृति प्रतिपादितस्सनातनो धर्मो विजयताम् !

सकल जनमनोरथ परिपूर्ण कृतनन्दन द्रुम भूताना मनेक विद्याकूपार पारंगत पंडित यूताना सकलनृप मुकुट कोटि प्रणत पादारविन्दानां देवद्विजगुर्वर्चन धर्मरक्षण तत्परजनाग्रवर्तिना सुरवर्य पुरंदर सदृशा प्रतिहत शक्तिमतां महिशूराधिपाना कृष्णराजवडियाराभिधानामग्रे पौंडरीकक्षेत्र निवासभिः श्री सनातन आर्यधर्म तत्व प्रसारक सदस्यैः धर्म रिरक्षिषुभिरियं विज्ञप्तिः क्रियते:-

अस्माभिरेवं श्रूयते, स्वधर्माचरणं विहाय ख्रिस्ति म्लेच्छादि धर्माचरण पतिता अपि दाय भागार्हास्सन्त्विथ श्रीमद्भिर्वैदिक विघातकं राजशासनञ्चिकीर्ष्य इति. अनेनास्माकं हृदयं विशीर्यते. मन्वादि मुनिभिस्तु ये स्वधर्माचरण भ्रष्टास्ते दायादभागा नर्हा इति प्रत्यपादि. श्रीमन्महिशूराधिपाभवन्त पतितेभ्यो दायविभागं प्रदाय किं फलं लभन्ते तत्तु नैव जानीमः असन्मार्गगतासु लोक चित्त प्रवित्तिषु राज्ञा स्वकीय शासनेन तास्सुस्थितिं आपयितव्या इत्येष राज्ञः श्रेयान् धर्मः । अतः स्वधर्माचरणेन राज्ञा सुखं लभते. अस्त्वेतत्. इदानीं श्रीमत्पादानामग्रे पुनः पुनः करसंपुटं प्रसार्यैवं प्रार्थ्यते. वैदिकधर्मवज्रभूत पतितजनेभ्यो दाय विभागदानं राजसासनं विहाय पूर्ववद्धर्माचरणेन सकलाः प्रजा रंजायितव्याः ॥ बुद्धिमतां जनानां विशेषलेखनेन ।किमितिशम्.

माधव रामकृष्ण कुरवळकर

कार्यालयांचे अध्यक्ष

दतो. बळवंत गाडकि.

कार्यालयाचे चिटणीस

मंडळीच्या जाहीर सभेचे अध्यक्ष

विनायक शिवाजी [illegible]

मंडळीचे प्रमुख मंत्री

म्हैसूर संस्थानात परधर्मांत जाणारास वडिलार्जित मालमत्ता मिळण्या विषयीचा जो कायदा होत आहे, त्याज बद्दल ही सभा नापसंती दर्शवीत आहे.

श्रीसनातन आर्यधर्म तत्वप्रसारक मंडळी
श्रीक्षेत्र पंढरपूर.

॥ श्री ॥

श्रीमत्परमहंसपरिव्राजकाचार्यवर्य पदवाक्यप्रमाण
पारावारपारीण यमनियमासनप्राणायामप्रत्याहारध्यानधारण
समाध्यष्टांगयोगानुष्ठाननिष्ठ तपश्चक्रवर्त्यनाद्यविच्छिन्नगुरु
परंपराप्राप्तषड्दर्शनस्थापनाचार्य व्याख्यानसिंहासनाधीश्वर-
सकलनिगमागमसारहृदयसांख्येत्रयप्रतिपादक वैदिकमार्ग-
प्रवर्तक सर्वतंत्रस्वतंत्रादिराजधानी विद्यानगरमहाराजधानी
कर्णाटकसिंहासनप्रतिष्ठापनाचार्य श्रीमद्राजाधिराजगुरु
भूमण्डलाचार्य ऋश्यशृङ्गपुरवराधीश्वर तुंगभद्रातीरवासि
श्रीमद्विद्याशङ्करपादपद्माराधक श्रीमन्नृसिंहभारतीस्वामि-
गुरुकरकमलसंजात श्रीजगद्गुरु शृंगेरि श्रीसच्चिदानंदशिवा-
भिनवनृसिंहभारतीस्वामिभिः

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As per Invoice of Messrs Thacker & Spink Co Calcutta d/1/8/91	Price of 12 Copies B C Act ~~III~~ of 1884 @ 1/-/6— Price of 12 Copies of B C A II of 1888 @ 8/ Packing & Postage & Money Commission
As per Invoice of the Curator Govt Book Depot N W P and Oudh No. 209 d/30/7/91	Price of 12 Copies XV of 1883 @ 11/6 Packing and Postage

DETAILED CONTINGENT BILL.

(Finl. Serial No. 21.)

Not Payable at the Treasury.

Government of Mysore.	Bill for Contingencies of the Legislative Department	Month of June July & August 1891.
Head of Service.		Nos. of Vouchers.

Nos. of Sub-Vouchers.	Description of Charge and Date of Authority—(where special sanction is necessary.)	Amount.		
	Totis Pay for 4 months viz. March, April May & June @ 1 Re per mensem.	4	„	„
	Vinegar for 2 bottles @ 6½ as per bottle	„	13	„
	Gum for 2 Seers @ 3 as for a Seer.	„	6	„
	Price of Act VI of 1878 Treasure Trove. including postage & V. P. Commn	„	8	„
	Price of the Gazette of India Extra copy containing the Bill of Act VI of 1878 including postage & V.P. Commn	„	8	„
	Cartage for carrying records from the Public Buildings to the City Station in Bangalore & Mysore Vice Versa	1	„	„
	Price of a copy of the unrepealed Acts of the Governor General in Council for the years 1835 to 1888 including packing and postage	8	10	„
	Pins for office use	„	3	„
	Total	15		
	Details of the Abstract Contingent Bill No 3 d 30th July 1891 Rs 62 „ „			
	Price of 12 Copies of Bombay City Municipal Act XIII of 1888 @ 1¼ Rs — 15 — Postage for do 1-7 — „ Money Order Charges for V.PP. „-4-„ Packing &ca „-2- Total 16-13-	16	13	„
	Price of a copy of the Central Provinces Municipal Act No XVIII of 1889.	„	13	
	Postage and Money Order Commn	„	4	
	Price of 11 copies of Madras City Municipal Act I of 1884. 12 Copies of Madras District Municipal Act 4 of 1884 3 Copies of Rules under Arms Act Including packing and Postage.	31	6	„
	Money Order Commn for the Same	„	6	.
	Excess postage paid in cash	„	6	„
	Blue blackink for office use	2	„	„
	Service Postage Stamps — do —	10	„	„
		62	„	„ 78
	Details of the Abstract Contingent Bill No 4 of 17th August 1891 for Rs			
	Price of 3 Copies of the Madras District Municipalities Bill. 3 Copies of the further Report of the Select Committee on the Madras District Municipalities Bill „ 3 Copies of Compulsory Vaccination Rules in the Madras Presidency Including postage and V.P.P. charges	7	8	

The rules of inheritance with reference to those who change their religion or are deprived of caste now proposed to be brought into force by the Mysore Govt are utterly opposed to Hindu Shastras

In the more authoritative works on Hindu Dharma Shastra, viz the Smritis of Manu, Yajnavalkya Vasishta a Narada as well as in the Apasthambha Dharma Sutra under the subject of inheritance the authors first describe those have a right of inheritance and then those who have no right of inheritance. Therein it is clearly laid down that those who have bodily defects, those who are insane, those who suffer from incurable diseases and those who have changed their Ashramas have no right inheritance but are entitled only to maintenance and those who have change their religion or are "deprived of caste are described as having no right even for maintenance

Yajnyavalkya Smriti says:—

Those who are impotent, or have lost their caste, or are the children of those who have lost their caste, or are lame, insane, without senses, or blind, or are suffering from incurable diseases, are entitled only to maintenance but have no right of inheritance.

Narada Smriti says:—

One who hates his parents, or has lost his caste, or is impotent (and one who is the offspring of the illicit connection of a wife with another person) though a legitimate offspring, has no right of inheritance. Such being the case how can an illegitimate offspring of one's wife claim any right of inheritance?

Vasishta Smriti say:—

Those who have entered upon a different Ashrama have no right of inheritance.

Dewala Smriti says:—

The father, while living, should give an equal share of his property to his sons, excluding those who are disqualified as being impotent &c. These latter, excluding those who have lost their caste, are entitled only to food and clothing.

Apasthambha Dharma Sutra says:—
Excluding the impotent, the insane, Men (i.e. one who has lost his caste) man that gives pinda has a right inheritance.

Out of the several classes of persons mentioned as having no right of inheritance those who have bodily defects, it is written shall have an equal right of inheritance if they have sons if the property had been divided before their bodies became defective or if in course of time their defects remedied by medical treatment. As this does not mean total exclusion of such persons from the right of inheritance they have not been in practice excluded from such rights but are getting an equal share in the family property. But as the Dharma-Shastras absolutely prohibit those persons who change their religion or are deprived of caste from having any right of inheritance they are not being given any share in the family property.

It is now necessary to enquire how the Dharma shastras admit that a person has by the mere fact of his birth, a right in his paternal property and determine his inheritance thereupon and at the same time (without laying themselves open to the charge of inconsistency) deny such a right to those who have bodily defects or who change their religion are deprived of caste. Such an enquiry will unquestionably lead to the conclusion that it is not the intention of the Shastras that a person should become entitled to inheritance by the mere fact of his birth. If such were the intention of the Shastras they would be doing injustice in prohibiting a son who though legitimately born and the eldest of the family has bodily defects or is irreligios or changes his religion or is deprived of caste, from having any right of inheritance for these facts do not remove the relationship established by his birth. Therefore it is necessary to assume that there should be some other and different reason for depriving a person of his right of inheritance. Enquiring what that reason can be we come across the following verse in Yagnyavalkya Smriti. After describing the twelve kinds of (heirs) sons the Smriti says:- that person (alone) has a right of inheritance who offers pinda to the manes of his ancestors. In Mitakshary, a commentary on this Smriti, it is stated that out of these 12 kinds of sons, failing the one mentioned earlier the next in the order of succession should offer pinda i.e. perform Shraddha and that person alone has a right of inheritance. The Commentary says - The disobedient son and the offspring of the unmarried woman, or of illicit commerce, or of a woman pregnant at the time of marriage, or of a widow is not entitled to offer pinda nor has he any right of inheritance.

Manu Smriti says:-

Only that man who offers pinda and tilodaka is entitled to the paternal property.

Therefore, it can not but be acknowledged that the offering of pinda and udaka play a very important part in deciding a person's right of inheritance. It must also be conceded that the Shastras direct that those persons who according to those Shastras are disqualified take part in offering pinda and udaka. As it can be clearly proved from the Shastras that those who have physical and other defects are disqualified to take part personally offering pinda but that they under certain circumstances become so qualified it becomes evident that those persons though having no right of inheritance have a right of maintenance. It is also stated [illegible] that these persons when they have male issue or when their defects are removed become entitled to inheritance. Therefore it must be admitted that it is not the intention lawgivers (Dharma Shastrakaras) that such persons should be entirely excluded from inheritance. But as a person who has changed his religion is under no circumstances authorized to take part in offering pinda, it is impossible that he should ever become entitled to inheritance. Therefore there do not appear any cases of inheritance under the Hindu Law decided in accordance with the Cases Law in favour of those that have changed their caste another never loses the birth-relationship which exists between him and his natural father. But yet as this relationship in so far as property is concerned ceases to exist that person can not become heir to that father's property. Therefore it follows from this that the relationship which ceases to exist either in the case of those who have assumed other Ashramas or of those who have been adopted by others, is really the relationship of offering pinda and udaka to the manes. No doubt it is the cessation of this relationship which brings about the cessation of the property relationship.

It is also possible to corroborate this decision of the lawgivers by events ordinarily taking place in the world. For example a man enters Govt. Service. Before taking him into service Govt. examines his merits, loyalty and other qualities and then takes him into service. If this person performs the duties entrusted to him without any kind of omission, the Govt. does not only maintain him at its own cost during such service but recognising it to be the duty of Govt. to grant him rest and to support him when he is weak and unable to perform such duties, it grants him pension as long as he lives. What is the relationship that exists in this instance between the Govt. and the official? There exists no relationship other than the performance by the official of the duties relating to and commanded by the persons on whose money he lives or who support him with money. If a different relationship did exist it would be impossible to explain how that official can be dismissed when he does not perform his duty, or commits a serious

But since a man who changes his
eligion or is deprived of caste is disabled
rom offering pinda to the manes of his
ncestors he has absolutely no lien on the
aternal property and to create such
lien by the Draft Regulation, is utterly
pposed to the Hindu Shastra.

At the present day when as stated in
the saying "The twice-born conform
e times (in which they live)" religious
uties are being omitted day by day, and
awlessness is on the increase of Hindu
ajas who ought to maintain religion in the
and give the greatest help to the irreligious
y passing such Regulations as will bring
em property in the shape of inheritance
ey are doubtless hastening the ruin of
induism which may gradually die away
the course of time or which may reach
better condition after some time. Under
ch treatment Hinduism will surely expire
ust as a drink of cool water offered
a delirious patient who is suffering
rom thirst will certainly end in his
eath. It is unnecessary to enlarge upon
is point as many persons will doubtless

make representations to Govt. thereon and the Govt itself will take them into consideration At present many make at least a show of remaining in their own religion or caste for fear of losing their right of inheritance by changing their religion or losing their caste and this affords a sort of satisfaction to their parents and relations. If a right of inheritance to those who change their religion or are deprived of caste is created by law people are afraid that many will change their religion or be deprived of caste thus leading to much suffering and unrest in the land and ultimate loss of peace. It is the hope of the Jagadguru that Govt will pay full attention to the preservation of caste and religion and thereby maintain the happiness of the people.

As it is the duty of the Head of the Hindu religion to make it clear that the proposed Regulation is opposed to the Shastras, that point alone is hereby brought to the notice of Govt.

As amongst the Mahomedans and Hindus, who form more than 3/4ths of the inhabitants living in the Mysore State the law closely follows the dictates of their religious works and is based upon immemorial customs The present Regulation seems to lead to the destruction of the Dharmasastras of Hindus and Mahomedans

~~An~~ The Law of inheritance is a personal Law and ought to change with the conditions of the individual as has been held by their Lordships of the Privy Council ~~and~~ ~~of~~ The Judges of the High Court of Madras decided that the Hindu wife of a Christian Convert had no right to the personal property of her convert husband as the marriage bond broke the moment he became a convert

Marriage in India is the source of all rights including that of inheritance and anything that breaks the right.

Amongst Hindus inheritan devolves upon the son as he alone is eligible to offer funeral Oblation to his departed ancestor and any new principle which would violate this condition would be unjust and opposed to Hindu Dharmasastras

(A detailed translation of the memorial is also put up)

(1) Some people labour under the wrong impression That the Converts' Disabilities Regulation is in accordance with natural Justice and Equity. But a comparative study of different nations shows that the question of inheritance is not governed by any natural law or equity but follows the long standing customs of each nation Among the English the immovable property goes to the eldest son, the movable proper being divided equally among all the sons and daughters of the deceased, or if he bequeathed his property by will it is distribute in accordance with the terms of the will Similarly among the Mahommedans, if the deceased leaves a will behind him his property is disposed of in accordance with its terms or if no will is left, all the relatives of the deceased get a greater or smaller share in his property according to the nearness or remoteness of the relation they bear to him. The Hindus can not will their property away If the deceased Hindu belonged to an undivide family his property is divided among the surviving males of such family if the deceased lived separately previous to his decease his property goes to his sons, failing them, to his grandsons & so on.

apply equally to Converts. But the question of inheritance is quite a different thing Inheritance marriage and guardianshi which come under personal law change with the conditions of the individual, and since by conversion a man is transferr to another religion body and soul his condition - especially his right of inheritance - naturally and justly changes This statement has been corroborated by the Judges of the Privy Council; and in a certain case before the High Court of Madra the Judges decided that ~~the~~ a Christian Convert's Hindu vife who continued to be a Hindu had no right to the ersonal property of her ~~Christian~~ convert husband as the marriag bond broke the moment he became a convert.

4 Marriage which constitutes the basis of Society and is the source of all rights such as inheritance, guardianshi of wife, children &c is a religious rite among Hindus and not a contract, and as marriages between persons of different religions is not permitted in India Converts lose all the rights of marriage which they possessed before they were converted.

5 According to Hindu Dharma Sastras a son is entitled to parental property only when he is able to offer pinda to the manes of his ancestors. It is also laid down in the Shastras that the person who offers pinda to the departed spirit of any one should become heir to that person's property. Therefore it is not just that the Govt. should cancel the obligatory nature of offering pinda while allowing the right to property sanctioned in the Shastras to continue. This would be equal to setting aside the most essential part of Hindu Dharma Shastras and would make the representatives apprehensive of further injuries to their Shastras.

ಇದರಡೀ ರುಜುಮಾಡುವ ಮೈಸೂರು ದಸರಾ ಪ್ರಜಾಪ್ರತಿನಿಧಿಸಭಾ ಮೆಂಬರುಗಳು ಅತ್ಯಂತ ವಿನಯಭಕ್ತಿ ಪೂರ್ವಕವಾಗಿಯೂ ಅತ್ಯಾರ್ತರಾಗಿಯೂ ಎಜಾ ಬಿನೆಮಾಡಿಕೊಳ್ಳುವುದು ಏನೆಂದರೆ, ಮಹಾಸ್ವಾಮಿ:

ಮತ ಜಾತಿ ಸಂಬಂಧವಾದ ಅಯೋಗ್ಯತಾನಿವಾರಣದ ರೆಗ್ಯುಲೇಷನ್.

ಈ ಧರ್ಮಸಂಸ್ಥಾನದಲ್ಲಿ ಈ ಮೇಲ್ಕಂಡ ರೆಗ್ಯುಲೇಷನನ್ನು ಜಾರೀಲಿ ತರುವುದರಿಂದ ಉಂಟಾಗುವ ಮುಂದೆ ವಿಶೇಷವಾಗಿ ಹೇಳಲ್ಪಡುವ ಅನರ್ಥಗಳನ್ನೂ, [illegible] ದಿವ್ಯಚಿತ್ತದಲ್ಲಿ ತಂದುಕೊಂಡು ಈ ಕಾನೂನ್ನಾಗಲೀ ಅಥವಾ ಇದಕ್ಕೆ ಸಮಾನವಾದ ಮತ್ಯಾವ ಕಾನೂನಾಗಲೀ ಈ ಧರ್ಮಸಂಸ್ಥಾನದಲ್ಲಿ ಜಾರೀಲಿ ತರಕೂಡದೆಂಬುವ ನಮ್ಮ ಅತ್ಯಂತ ದೈನ್ಯಪುರಸ್ಸರವಾದ ಪ್ರಾರ್ಥನೆಯನ್ನು ನೆರವೇರಿಸಿಕೊಡಬೇಕೆಂದು ಬೇಡಿಕೊಳ್ಳುತ್ತೇವೆ, ಮಹಾಸ್ವಾಮಿ.

೧ [ಎ] ಈ ರೆಗ್ಯುಲೇಷನ್ ಸ್ವಭಾವಸಿದ್ಧವಾದ ಧರ್ಮಕ್ಕೂ ನ್ಯಾಯಕ್ಕೂ (ನ್ಯಾಚುರಲ್ ಜಸ್ಟಿಸ್ ಮತ್ತು ಈಕ್ವಿಟಿಗೂ) ಅನುಸಾರವಾಗಿರುವುದೆಂದು ಕೆಲವರಲ್ಲಿ ಒಂದು ತಪ್ಪು ತಿಳುವಳಿಕೆಯು ಬಂದು ಹೋಗಿದೆ ಮಹಾಸ್ವಾಮಿ. ಈ ತಿಳುವಳಿಕೆಯು ತಪ್ಪಾದ್ದೆಂಬುವುದರಲ್ಲಿ ಸಂದೇಹವೇ ಇಲ್ಲ. ಹೇಗೆಂದರೆ:—ತಂದೆಯ ಆಸ್ತಿಯು ಮಕ್ಕಳೆಂಥವರಾದರೂ ಆ ಮಕ್ಕಳಿಗೆ ಉಂಟಾಗಬೇಕೆಂಬುವದು ಸ್ವಭಾವಸಿದ್ಧವಾದ ಧರ್ಮವೂ ಅಲ್ಲ, ನ್ಯಾಯವೂ ಅಲ್ಲ. ಇಂಗ್ಲಿಷ್ ಲಾ ಪ್ರಕಾರ ತಂದೆಯ ಸ್ಥಿರಸ್ವತ್ತೆಲ್ಲಾ ಹಿರೀಮಗನೊಬ್ಬನಿಗೆ ಮಾತ್ರ ಸಲ್ಲುತ್ತಲೂ, ಚರಸ್ವತ್ತುಗಳು ಗಂಡು ಹೆಣ್ಣು ಮಕ್ಕಳಿಗೆಲ್ಲರಿಗೂ ಸಮಭಾಗವಾಗುತ್ತಲೂ ಬರುವುದು ಸ್ವಭಾವವಾಗಿರುತ್ತದೆ. ಸತ್ತವನು ತಾನು ಬದುಕಿರುವಾಗಲೇ ಉಯಿಲನ್ನೇನಾದರೂ ಮಾಡಿದ್ದಲ್ಲಿ ಆ ಉಯಿಲಿನಂತೆಯೇ ಅವನ ಚರಸ್ಥಿರಸ್ವತ್ತುಗಳು ವಿಲೇ ಆಗುವುವು. ಮಹಮ್ಮದೀಯರಲ್ಲಿ ಮೃತಪಟ್ಟವನು ಉಯಿಲ್ ಮಾಡಿದ್ದರೆ ಆಸ್ತಿಯು ಉಯಿಲಿನಂತೆ ವಿನಿಯೋಗಿಸಲ್ಪಡುವುದು. ಇಲ್ಲದಪಕ್ಷದಲ್ಲಿ ಅವನ ಹೆಣ್ಣು ಗಂಡು ಮಕ್ಕಳೂ ಮತ್ತು ಹೆಂಡತಿಯೂ, ಅಣ್ಣತಮ್ಮಂದಿರೂ, ಚಿಕ್ಕಪ್ಪನೂ, ತಾಯಿಯೂ, ತಂದೆಯೂ, ಇನ್ನೂ ಕುಟುಂಬಕ್ಕೆ ಸೇರಿದವರಲ್ಲೆಲ್ಲಾ ಕಾಲು, ಅರೆ, [illegible], ಈ ರೀತಿಯಾಗಿ ರಕ್ತಸಂಬಂಧಾನುಸಾರವಾಗಿ ವಿಷಮಭಾಗಗಳನ್ನು ಹೊಂದುವರು. ಹಿಂದೂಗಳಲ್ಲಿ ಪಿತ್ರಾರ್ಜಿತಸ್ವತ್ತುಗಳ ವಿಷಯದಲ್ಲಿ ಉಯಿಲು ಮಾಡುವ ಅಧಿಕಾರವೇ ಇಲ್ಲ. ಮೃತಪಟ್ಟವನು ಇತರರೊಡನೆ ಏಕಕುಟುಂಬದಲ್ಲಿ ಇದ್ದವನಾಗಿದ್ದರೆ ಆಸ್ತಿಯು ಸತ್ತವನು ಹೋಗುತ್ತಾ ಉಳಿದ ಕುಟುಂಬದ ಎಲ್ಲಾ ಗಂಡಸರಿಗೆ ಮಾತ್ರ ಸೇರುವುದಾಗುತ್ತದೆ. ಮೃತಪಟ್ಟವನು ಪಟ್ಟು ಕುಟುಂಬಕ್ಕೆ ಸೇರದೆ ಪ್ರತ್ಯೇಕವಾಗಿದ್ದ ಪಕ್ಷದಲ್ಲಿ ಅವನ ಆಸ್ತಿಯು ಕ್ರಮವಾಗಿ ಅವನ ಗಂಡುಮಕ್ಕಳಿಗೂ, ಗಂಡು ಮೊಮ್ಮಕ್ಕಳಿಗೂ, ಗಂಡು ಮರಿಮಕ್ಕಳಿಗೂ, ಆ ತರುವಾಯ ಹೆಂಡತಿಗೂ, ತರುವಾಯ ಹೆಣ್ಣುಮಕ್ಕಳಿಗೂ, ಆ ತರುವಾಯ ದೌಹಿತ್ರರಿಗೂ, ಆಮೇಲೆ ತಾಯಿಗೂ, ಆಮೇಲೆ ತಂದೆಗೂ ಈ ಮುಂತಾದ ರೀತಿಯಾಗಿ ವಿಲೇ ಆಗುತ್ತದೆ. ಇದೇವಿಧವಾಗಿ ಇನ್ನೂ ನಾನಾ ಜನಾಂಗಗಳ ದಾಯಕ್ರಮರೀತಿಯು ನಾನಾವಿಧವಾಗಿ ಇರುವದೆಂಬುವದನ್ನು ಬಹಳವಾಗಿ ತೋರಿಸಬಹುದು. ಇದರಿಂದ ದಾಯಭಾಗದ ವಿಷಯವು ಸ್ವಭಾವಸಿದ್ಧವಾದ ಯಾವ ನ್ಯಾಯವೂ ಅಲ್ಲ, ಧರ್ಮವೂ ಅಲ್ಲ; ಆಯಾಯ ಜನಾಂಗಕ್ಕೆ ತಕ್ಕಂತೆ ಆಯಾಯ ಜನಾಂಗದ ಪೂರ್ವಪದ್ಧತಿಗಳನ್ನು ಅನುಸರಿಸುತ್ತಾರೆ ಎಂಬುವದು ಸ್ಪಷ್ಟವಾಗುವುದು.

ಈ ಮೈಸೂರು ಧರ್ಮಸಂಸ್ಥಾನದಲ್ಲಿ ಇರುವ ~~[illegible]~~ 55 ಲಕ್ಷ ಪ್ರಜಾ ಸಂಖ್ಯೆಯಲ್ಲಿ ಹಿಂದೂ ಮಹಮ್ಮದೀಯರು ಮುಕ್ಕಾಲುಭಾಗಕ್ಕಿಂತಲೂ ಹೆಚ್ಚಾಗಿ ಪ್ರಜೆಗಳಾಗಿರುತ್ತಾರೆ. ಈ ಹಿಂದೂ ಮುಸಲ್ಮಾನರ ದಾಯಕ್ರಮವು ಅವರವರ, ಅಂದರೆ ಹಿಂದೂಗಳಲ್ಲಿ ಅವರ ಶೃತಿಸ್ಮೃತಿಯ ವ್ಯವಹಾರಗಳನ್ನೂ, ಮಹಮ್ಮದೀಯರಲ್ಲಿ ಅವರ ಖುರಾನ್ ಮತ್ತು ಇತರ ಮತಗ್ರಂಥಗಳನ್ನೂ ಅನುಸರಿಸಿರುತ್ತವೆ.

ಆದ್ದರಿಂದ ಈ ರೆಗ್ಯುಲೇಷನ್ ವಿಷಯದಲ್ಲಿ ನ್ಯಾಚುರಲ್ ಜಸ್ಟಿಸ್, ಈಕ್ವಿಟಿ ಮುಂತಾದ ಕಾರಣಗಳನ್ನು ಹಿಡಿದು ಮಾತನಾಡುವುದು ತಪ್ಪಾಗಿರುತ್ತದಲ್ಲದೆ ಅನರ್ಥಕಾರಿಯಾಗುತ್ತದೆ. ಹಿಂದೂ ಮುಸಲ್ಮಾನರಿಗಂತೂ ಅವರ ಧರ್ಮಶಾಸ್ತ್ರ ವಿನಾಶವನ್ನು ಉಂಟುಮಾಡಿದಂತಾಗುತ್ತದೆ.

ನ್ಯಾಚುರಲ್ ಜಸ್ಟಿಸ್ ಎಂಬುವುದು ಬೇರೆಯಾಗಿಧೆ. ಅದು ಮಹಾಸ್ವಾಮಿಗಳವರ ಪ್ರಜೆಗಳೆಲ್ಲರಿಗೂ ಸಾಮಾನ್ಯವಾದ್ದಾಗಿರುತ್ತದೆ. ಮತಭ್ರಷ್ಟರಿಗೆ ನ್ಯಾಚುರಲ್ ಜಸ್ಟಿಸ್ ಇರಕೂಡದೆಂಬುವುದು ನಮ್ಮ ಮತವಲ್ಲ. ಆದರೆ ನ್ಯಾಚುರಲ್ ರೈಟ್ಸ್ ಎಂಬುವುಗಳೇ ಬೇರೆ. ದಾಯಕ್ರಮವೇ ಬೇರೆ. ಒಬ್ಬನ ಸ್ವತ್ತನ್ನೂ, ಅವನ ಒಳ್ಳೇ ಹೆಸರನ್ನೂ, ಅವನ ದೇಹವನ್ನೂ ಮತ್ತೊಬ್ಬನು ಅಪಹಾರಮಾಡಕೂಡದು, ನೋಯಿಸಕೂಡದು, ಮುಂತಾದವುಗಳೆಲ್ಲಾ ನ್ಯಾಚುರಲ್ ರೈಟ್ಸ್ ಎಂಬುವುದರಲ್ಲಿ ಸೇರುತ್ತವೆ. ಇವುಗಳು ಮತ ಜಾತಿ ಭ್ರಷ್ಟರಿಗೆ ಧಾರಾಳವಾಗಿಯೂ ಉಂಟು. ಮತಜಾತಿಭ್ರಂಶವೆಂದರೆ ಭ್ರಷ್ಟನಾದವನ ಶರೀರವೂ, ಆತ್ಮವೂ, ಅನ್ಯಮತಜಾತಿಗಳಿಗೆ ಸೇರಿಹೋಗುತ್ತವೆ. ಹಾಗೆ ಸೇರೋಣದರಿಂದ ಆ ಭ್ರಷ್ಟನಾದ ಪುರುಷನ ಅವಸ್ಥೆಯು ಬದಲಾಯಿಸಲೇಬೇಕು. ಆ ಬದಲಾವಣೆಯಿಂದ ಆ ಪುರುಷನ ಸ್ವತ್ವಾಧಿಕಾರವು ಖಂಡಿತವಾಗಿ ಬದಲಾಯಿಸುತ್ತದೆ. ಹೀಗೆ ಬದಲಾಯಿಸತಕ್ಕದ್ದು ನ್ಯಾಯಮಾತ್ರವಲ್ಲದೆ ಸ್ವಭಾವವಾದ್ದಾಗಿಯೂ ಇಧೆ. ದಾಯಕ್ರಮ, ವಿವಾಹ, ಗಾರ್ಡಿಯನ್‌ಷಿಪ್ ಇವುಗಳೆಲ್ಲಾ ಪರ್ಸನಲ್ ಲಾಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟವುಗಳಾಗಿ ಪರಸನಲ್ ಲಾಗಳಂತೆ ಆಯಾಯ ಪುರುಷನ ಅವಸ್ಥೆಯನ್ನು ಅನುಸರಿಸಿರುತ್ತವೆ. ಮತ್ತು ಪ್ರತಿಯೊಬ್ಬ ಪುರುಷನ ಅವಸ್ಥೆಯು ಅವರಮತವನ್ನೂ ಅನುಸರಿಸಿರುತ್ತದೆ. ಈ ಮಾತುಗಳನ್ನು ಪ್ರಿವೀಕೌನ್ಸಲ್ ಜಡ್ಜಿಗಳೂ ಕೂಡಾ ನಿರ್ಧಾರಮಾಡಿಬಿಟ್ಟಿರುತ್ತಾರೆ. ಬುದಾನೊಂದು ಮೊಕದ್ದಮೆಯಲ್ಲಿ ಕ್ರಿಸ್ತಮತಕ್ಕೆ ಸೇರಿಹೋದ ಒಬ್ಬ ಹಿಂದುವಿನ ಹಿಂದೂಜಾತಿಯಲ್ಲೇ ಇದ್ದ ಹೆಂಡತಿಯು ಆ ಗಂಡನ ಸ್ವಯಾರ್ಜಿತಕ್ಕೆ ಹಕ್ಕುದಾರಳಾಗುವುದಿಲ್ಲ, ಏಕೆಂದರೆ, ಹಿಂದೂಮತವನ್ನು ಬಿಟ್ಟು ಕ್ರಿಸ್ತನಾದ ಕ್ಷಣದಲ್ಲಿಯೇ ಅವನಿಗೂ ಅವನ ಹೆಂಡತಿಗೂ ಇದ್ದ ವಿವಾಹಸಂಬಂಧವು ತ್ಯಜಿಸಿಹೋಯಿತಾದ್ದರಿಂದ ಆ ವಿವಾಹಸಂಬಂಧತ್ಯಾಗದ ದೆಸೆಯಿಂದ ದಾಯಾಧಿಕಾರವೂ ನೀಗಿಹೋಯಿತೆಂದು ಮದರಾಸು ಹೈಕೋರ್ಟಿನವರು ತೀರ್ಮಾನಮಾಡಿರುತ್ತಾರೆ. ಈ ರೀತಿಯಾಗಿ ಹಿಂದೂಮಹಮ್ಮದೀಯ ಧರ್ಮಶಾಸ್ತ್ರ ಪ್ರಕಾರ ಮತಭ್ರಂಶವಾಗುವದರಿಂದ ಆ ಮತದ ಕಾರಣವುಂಟಾಗುವ ಹಕ್ಕುಗಳ ವಿಷಯವಾಗಿ ಭ್ರಷ್ಟನಾದವನು ಮೃತಪ್ರಾಯನಂತೆ ಗಣಿಸಲ್ಪಡುವವನು

2 ಈ ಕಾನೂನಿನದೆಸೆಯಿಂದ ಹಿಂದೂ ಮಹಮ್ಮದೀಯ ಧರ್ಮಶಾಸ್ತ್ರಗಳಿಗೆ ವಿನಾಶವನ್ನು ಕಲ್ಪಿಸಿದಂತೆ ಆಗುವುದು. ಸಾಮಾಜಿಕತನಕ್ಕೆ ವಿವಾಹವೇ ಆದಿಕಾರಣವಾಗಿರುತ್ತದೆ. ವಿವಾಹದಿಂದಲೇ ಮಕ್ಕಳು ಸಂಬಂಧಿಗಳು ದಾಯಾದಿ

ಗಳು, ದಾಯಾಧಿಕಾರ, ಪುತ್ರ ದಾರಾಧಿಕಾರಿಗಳು ಉಂಟಾಗುತ್ತವೆ. ಮದುವೆಯಿಲ್ಲದ ಸನ್ಯಾಸಿಯು ಸಾಮಾಜಿಕನೂ ಅಲ್ಲ; ಅವನಿಗೆ ಸ್ವತ್ವಾಧಿಕಾರವೂ ಇಲ್ಲ. ಆದುದರಿಂದ ನ್ಯಾಯವಾದ ನಾಗರಿಕನಿಗೆ ವಿವಾಹವು ಎಲ್ಲಾ ಅಧಿಕಾರಗಳನ್ನೂ ಉಂಟುಮಾಡತಕ್ಕದ್ದಾಗಿರುತ್ತದೆ ಈ ವಿವಾಹವು ಹಿಂದೂಗಳಲ್ಲಿ ಒಂದು ಮತಸಂಸ್ಕಾರವಾಗಿದೆಯೇ ಹೊರತು ಕಂಟ್ರಾಕ್ಟು ಸಂಬಂಧವಾಗುವುದಿಲ್ಲ. ವಿವಾಹಮಾಡಿಕೊಳ್ಳುವಾಗ ವಧೂವರರು "ಧರ್ಮೇಚ, ಅರ್ಥೇಚ, ಕಾಮೇಚ, ನಾತಿಚರಿತವ್ಯಂ ? "ನಾತಿಚರಾಮಿ" ಎಂದು ಪರಸ್ಪರ ಪ್ರಮಾಣಗಳನ್ನು ಮಾಡಿಕೊಳ್ಳುವರು. ಹೀಗಿರಲಿಕ್ಕಾಗಿ ಗಂಡಹೆಂಡರಲ್ಲೊಬ್ಬರು ತನ್ನ ಮತವನ್ನು ಬದಲಾಯಿಸಿ ಬಿಟ್ಟಲ್ಲಿ ಅವನಿಗೆ ಅಥವಾ ಅವಳಿಗೆ ವಿವಾಹಸಂಬಂಧವಾದ ಎಲ್ಲಾ ಹಕ್ಕುಗಳೂ ಹೆಂಡತೀ ಮಕ್ಕಳ ಮೇಲಿನ ಅಧಿಕಾರ ಸಹಾ ಸಂದೇಹವಿಲ್ಲದೆ ತಪ್ಪಿಹೋಗಬೇಕು. ಇಂಡಿಯಾದೇಶದಲ್ಲಿ ಭಿನ್ನಮತಗಳವರಿಗೆ ವಿವಾಹವು ಆಗಲೇಕೂಡದು.

ಮೇಲ್ಕಂಡ ವಿವಾಹಸಂಬಂಧದಿಂದ ಉಂಟಾಗುವ ಮಕ್ಕಳಿಗೆ ಪಿತ್ರಾರ್ಜಿತದಲ್ಲಿ ದಾಯವು ಸಲ್ಲುವ ವಿಷಯದಲ್ಲಿ ಹಿಂದೂ ಧರ್ಮಶಾಸ್ತ್ರ ರೀತ್ಯಾ ಮಗನು ತನ್ನ ಪಿತೃಗಳಿಗೆ ಶ್ರಾದ್ಧಗಳನ್ನು ಮಾಡಿ ಪಿಂಡಾದಿಗಳನ್ನು ಕೊಡುವ ಶಕ್ತಿ ಇದ್ದರೆಮಾತ್ರ ಅವನು ಪಿತರಾರ್ಜಿತಕ್ಕೆ ಅರ್ಹನಾಗುವನು; ಇಲ್ಲದಿದ್ದರೆ ಇಲ್ಲ; ಎಂಬುವುದೇ ಹಿಂದೂ ದಾಯಕ್ರಮಧರ್ಮಶಾಸ್ತ್ರವಾಗಿದೆ. ಈ ಅಂಶವು ಪುತ್ರ ಎಂಬ ವಿಜುವುದರಲ್ಲಿಯೇ ವ್ಯಕ್ತವಾಗಿದೆ.

" ಪುನ್ನಾಮ್ನೋ ನರಕಾದ್ಯಸ್ಮಾತ್ ತ್ರಾಯತೇಪಿತರಂಸುತಃ ತಸ್ಮಾತ್ ಪುತ್ರ ಇತಿಪ್ರೋಕ್ತಃ ಸ್ವಯಮೇವಸ್ವಯಂಭುವಾ।
ಹಿಂದುವಾದ ಮಗನು ಹಿಂದುವಾದ ತನ್ನ ಪಿತೃಗಳ ಆಸ್ತಿಯನ್ನು ಪಡೆಯುವವನು ಆ ಪಿತೃಗಳಿಗೆ ಪಿಂಡದಾನಮಾಡುವ ಯೋಗ್ಯತೆ ಇದ್ದ ಹೊರತು ಅನ್ಯಥಾ ಇಲ್ಲ.

" ತ್ರಯಾಣಾಮುದಕಂ ಕಾರ್ಯಂ ತ್ರಿಷುಪಿಂಡಃ ಪ್ರವರ್ತತೇ ಚತುರ್ಥಃ ಸ್ಸಂಪ್ರದಾತೇಷಾಂ ಪಂಚಮೋನೋಪಪದ್ಯತೇ

ಎಂಬ ಮತ್ತು

" ಯೋಯಸ್ಯ ಪಿಂಡದಾನೇನೋಪಕರೋತಿಸುತಸ್ಯವಿಭಜ್ಯಧನಂ ಗೃಹ್ಣೀಯಾತ್ ' "

ಎಂಬ ಧರ್ಮಶಾಸ್ತ್ರವಚನಗಳ ರೀತ್ಯಾ ಪ್ರತಿಯೊಬ್ಬರಿಗೂ ಮೂರುಮಂದಿಗೆ ಅಂದರೆ ತಂದೆ ತಾತ, ಮುತ್ತಾತಂದಿರಿಗೆ ಪಿಂಡದಾನವನ್ನು ಮಾಡಬೇಕು. ಮತ್ತು ಹಾಗೆ ಪಿಂಡದಾನವನ್ನು ಯಾವನು ಯಾರಿಗೆ ಮಾಡುತ್ತಾನೆಯೋ ಅವನು ಅಂಥವನ ಆಸ್ತಿಗೆ ಅಧಿಕಾರಿಯಾಗುತ್ತಾನೆ. ಈರೀತಿಯಾಗಿ ಮೃತಪಟ್ಟ ಒಬ್ಬೊಬ್ಬನ ಸ್ವತ್ತಿಗೆ ಅವನ ಮಗನೂ, ಮೊಮ್ಮಗನೂ ಮರಿಮಗನೂ ಪಿಂಡದಾನವನ್ನು ಮಾಡುವದರಿಂದ ಅಧಿಕಾರಿಗಳಾಗುತ್ತಾರೆ. ಈ ಕಾರಣದಿಂದ ಪಿಂಡದಾನಮಾಡಿದ ಹೊರತು ಸ್ವತ್ತಿಗೆ ಅಧಿಕಾರವಿಲ್ಲವೆಂಬುವದು ಸ್ಪಷ್ಟವಾಯಿತು. ಸ್ವತ್ವಾಧಿಕಾರಕ್ಕೆ ಪಿಂಡದಾನವು ಅವಶ್ಯವಿಲ್ಲದ್ದ ಪಕ್ಷದಲ್ಲಿ ಒಬ್ಬನೊಬ್ಬ ಮೃತಪಟ್ಟವನ ಸ್ವತ್ತು ಅವನ ಮೊಮ್ಮಕ್ಕಳಿಗೂ ಮರಿಮಕ್ಕಳಿಗೂ ಸಿಲ್ಲುವದಕ್ಕೆ ಯಾವ ಕಾರಣ? ಇದರಂತೆ ಬೇರೇ ಯಾವ ಜನಾಂಗದಲ್ಲಿಯೂ ವಾಡಿಕೆಯಲ್ಲಿ ಈ ಮೊಮ್ಮಕ್ಕಳಿಗೂ ಮರಿಮಕ್ಕಳಿಗೂ ಸ್ವತ್ತು ಉಂಟೆಂಬುವದಕ್ಕೆ ಹಿಂದೂ ಧರ್ಮಶಾಸ್ತ್ರ ವಿನಾ ಮತ್ಯಾವ ಅಧಿಕಾರವೂ ಇಲ್ಲ. ಹಿಂದೂ ಮಗ, ಮೊಮ್ಮಗ, ಮರಿಮಗನಿಗೆ ಆಸ್ತಿಯನ್ನು ಕೊಡಿಸಬೇಕಾದರೆ ಹಿಂದೂ ಧರ್ಮಶಾಸ್ತ್ರವನ್ನೇ ಆಧಾರವಮಾಡಿಕೊಂಡು ಕೊಡಬೇಕಾಗಿದೆ. ಹಾಗೆ ಹಿಂದೂ ಧರ್ಮಶಾಸ್ತ್ರವನ್ನೇ ಆಧಾರವನ್ನಾಗಿ ಇಟ್ಟುಕೊಂಡಿಲ್ಲ. ಅದೇ ಧರ್ಮಶಾಸ್ತ್ರದಲಿ ಪಿಂಡದಾನವನ್ನು ಮಾಡಿದವನಿಗೆ ಮಾತ್ರ ಸ್ವತ್ವಾಧಿಕಾರವುಂಟೆಂದು ಹೇಳಿರುವದರಿಂದ ಯಾವನಾದರೊಬ್ಬ ಹಿಂದುವಿನ ಮಗ, ಮೊಮ್ಮಗ, ಮರಿಮಕ್ಕಳು ಹಿಂದುಗಳಾಗಿದ್ದು, ಪಿಂಡದಾನಮಾಡುವ ಯೋಗ್ಯತೆಯುಳ್ಳವರಾಗಿದ್ದ ಹೊರತು ಅವನ ಆಸ್ತಿಗೆ ಅಧಿಕಾರವು ಉಂಟಾಗುವದಿಲ್ಲ. ಇದನ್ನು ಬಿಟ್ಟು ಧರ್ಮಶಾಸ್ತ್ರದಲ್ಲಿ ಹೇಳಿರುವ ಪಿಂಡದಾನದ ವೀರತ್ತನ್ನು ಕಿತ್ತು ಹಾಕಿಬಿಟ್ಟು ಆ ಧರ್ಮಶಾಸ್ತ್ರದಲ್ಲಿ ಹೇಳಿರುವ ಸ್ವತ್ವಾಧಿಕಾರವನ್ನು ಮಾತ್ರ ಕೊಡಿಸಿಕೊಡುವದು ಧರ್ಮವಲ್ಲ. ಹಾಗೆ ಮಾಡಿದ್ದೇ ಆದರೆ ಹಿಂದೂ ಧರ್ಮಶಾಸ್ತ್ರಗಳಲ್ಲಿ ಪ್ರಾಮುಖ್ಯವಾದ ಭಾಗವನ್ನು ರದ್ದುಮಾಡಿದಂತೆ ಆಗುತ್ತದೆ. ಇದರಿಂದ ಇನ್ನೂ ಮುಂದೆ ಹಿಂದೂಧರ್ಮಶಾಸ್ತ್ರಗಳಿಗೆ ಏನೇನು ಗತಿ ಬರುವುದೋ ಎಂದು ಅತ್ಯಂತ ಭಯಭ್ರಾಂತರಾಗಿರುತ್ತೇವೆ, ಮಹಾಸ್ವಾಮಿ.

ಸದ್ಯಸ್ಥಿತಿಯಲ್ಲಿ ತನಗೆ ಪಿಂಡದಾನವನ್ನು ಮಾಡದೆ ಪತಿತನಾಗಿ ಜಾತಿ ಮತಭ್ರಷ್ಟನಾಗಿ ತನ್ನ ಮಗನು ಕೆಟ್ಟುಹೋದರೂಕೂಡಾ ಅವನಿಗೆ ತನ್ನ ಆಸ್ತಿಯು ಸಲ್ಲಲಿ, ಎಂದು ಅಭಿಪ್ರಾಯಪಡುವ ನಿಜವಾದ ಹಿಂದು ಯಾವನೂ ಇರುವದಿಲ್ಲ. ಮಕ್ಕಳು ತನ್ನ ಸ್ವಮತದಲ್ಲಿದ್ದುಕೊಂಡು ತನ್ನ ಸನಾತನ ಧರ್ಮದಲಿಯೂ ವೃದ್ಧಾಚಾರದಲ್ಲಿಯೂ ಇದ್ದುಕೊಂಡು ತನಗೆ ಸದ್ಗತಿ ಉಂಟಾಗಲೋಸ್ಕರ ತಿಲೋದಕ ಪಿಂಡದಾನಗಳನ್ನು ಮಾಡುವನೆಂಬ ಸದ್ಭಾವನೆಯಿಂದಲೇ ಹಿಂದುಗಳು ಹೊಟ್ಟೇ ಬಟ್ಟೇ ಕಟ್ಟಿ ಕಷ್ಟಾರ್ಜಿತ ಧನವನ್ನು ತಮ್ಮ ಮಕ್ಕಳಿಗೆ ಬಿಟ್ಟು ಸ್ವಸ್ಥಮಾನಸದಿಂದ ಪ್ರಾಣಬಿಡುವವರಾಗಿದ್ದಾರಲ್ಲವೇ?

ಪ್ರಕೃತವಿಷಯದಲ್ಲಿ ಅಂದರೆ ಜಾತಿ ಮತಭ್ರಷ್ಟರಿಗೆ ದಾಯವನ್ನು ಕೊಡಿಸುವದರಲ್ಲಿ ಸ್ಮೃತಿವಾಕ್ಯಗಳು·

" ಅನಂಶೌ ಕ್ಲೀಬಪತಿತೌ ಜಾತ್ಯಂಧಬಧಿರೌತಥಾ । ಉನ್ಮತ್ತಜಡಮೂಕಾಶ್ಚ ಏಚಕೇಚಿನ್ನಿರಿಂದ್ರಿಯಃ

ಎಂದು ಇರುತ್ತವೆ ಹೀಗಿರುವಲ್ಲಿ ಪತಿತನಾದವನಿಗೆ ದಾಯವನ್ನು ಕೊಡಿಸಬೇಕೆಂದು ಕಾನೂನು ಮಾಡುವದು ಮ್ಮ ಧರ್ಮಶಾಸ್ತ್ರಗಳಿಗೆ ವಿಘಾತವನ್ನುಂಟುಮಾಡಿದಂತಾಗುತ್ತದೆ. ಇದು ನ್ಯಾಯವೆಂತಲೂ ಸ್ವಭಾವಸಿದ್ಧವಾದ ಧರ್ಮವೆಂತಲೂ ಕೆಲವರು ಮೇಲ್ಕಂಡಂತೆ ಹೇಳುವವರು ಚನ್ನಾಗಿ ಆಲೋಚನೆ ಮಾಡಿ ಹೇಳುವಂತೆ ಕಾಣುವದಿಲ್ಲ. ಕೇವಲ ಛಲದಿಂದಲೂ, ವಿಷಯಜ್ಞಾನವಿಲ್ಲದೆಯೂ ಹೇಳುವಂತೆ ತೋರುತ್ತದೆ. ತನ್ನ ಜನರನ್ನೂ, ತನ್ನ ಜಾತಿಯನ್ನೂ, ತನ್ನ ಮತವನ್ನೂ, ಇಷ್ಟಬಾಂಧವರನ್ನೂ ಕಡಗೆ ತನ್ನ ತಾಯಿತಂದೆಗಳು ಹೆಂಡತಿ ಮಕ್ಕಳನ್ನೂ ಬಿಟ್ಟು ಅನ್ಯಜಾತಿಗೂ, ಮ ಕ್ಕೂ ಸೇರಿಕೊಳ್ಳಲೂ ಹೋಗುವ ಪತಿತನಿಗಿಂತಲೂ ಮೇಲ್ಕಂಡ ಶ್ಲೋಕದಲ್ಲಿ ಕಂಡ ಕ್ಲೀಬ, ಬಧಿರ, ಅಂಧಮೂಕಾದಿ ಳು·ನೀಚಕರರೇ? ಅವರಿಗಿಲ್ಲದ ಉಪಕಾರಗಳನ್ನೂ ಕಾಯಶಕ್ತಿ ಮುಂತಾದ್ದನ್ನೂ ಉಳ್ಳವನಾಗಿ ಬುದ್ಧಿಪೂರ್ವಕವಾಗಿ ಪತಿ ನಾದವನಿಗೆ ಕಲ್ಪಿಸಿಕೊಡಬೇಕೆಂಬುವದು ಸರ್ವಥಾ ಅನ್ಯಾಯವು. ಅವರಿಗೆಲ್ಲಾ ದಾಯವಿಲ್ಲದಿರುವದಕ್ಕೆ ಕಾರಣವೇನು ಅವರೆಲ್ಲರೂ ಪಿಂಡದಾನ ಮಾಡುವ ಯೋಗ್ಯತೆವುಳ್ಳವರಲ್ಲವಾದುದರಿಂದಲಲ್ಲವೇ? ಅದೇರೀತಿಯಾಗಿ ಪತಿತನಿಗೂ ದಾಯಭಾಗವಿಲ್ಲ.

ಏತೇನ ಪತಿತನಾದವನು ತನ್ನ ಮತವನ್ನೂ ಜಾತಿಯನ್ನೂ ಕೆಡಿಸಿ ಮಾತಾ, ಪಿತೃ,ಸೋದರ, ಸುತಾದಿಗಳಿಗೆ ಅನೇಕ ದುಃಖವನ್ನುಂಟುಮಾಡಿ ಹೋಗುವದಲ್ಲದೆ ಮುಂದೆ ಮುಂದೆ ತನಗೆ ದಾಯಭಾಗವು ಸಲ್ಲಬೇಕೆಂದು ಕೋರ್ಟುಗಳಲ್ಲಿ ದ್ದ ಇಲ್ಲದ ಇರಬಾರದ ವ್ಯಾಜ್ಯಗಳನ್ನೆಲ್ಲಾ ಹೂಡಿ ಮನೆ ಮಠಗಳಲ್ಲಿ ತಾನು ವೊಂದಿಗೆ ಸೇರಿಕೊಂಡು ಅನೇಕ ವಿಧವಾ ಬೇಗೆಗಳನ್ನು ಹಚ್ಚುವವಕ್ಕೆ ಕಾರಣವಾಗುವ ನಮ್ಮ ಮತ ಜಾತಿ ಧರ್ಮಶಾಸ್ತ್ರಗಳ ವಿನಾಶಕರವಾದ ಈ ಕಾನೂನನ ಜಾರಿಯಲ್ಲಿ ತರದೆ ನಮ್ಮನ್ನು ಉದ್ಧಾರಮಾಡಬೇಕೆಂದು ಹೃದಯಪೂರ್ವಕವಾಗಿ ಬೇಡುತ್ತೇವೆ, ಮಹಾಸ್ವಾಮಿ.—

V· V. Press

ಈ ಸಂಸ್ಥಾನ ಪ್ರಜಾಪ್ರತಿನಿಧಿಗಳಾದ

K. Ramanuja Iyengar Gubbi Taluq

Mysore Municipality

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W Tirumalakon

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G. Sreenivas Rao Jan[illegible]ardhan Garjewar
Venkata Narayanappa Hosadurga Tq.
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